

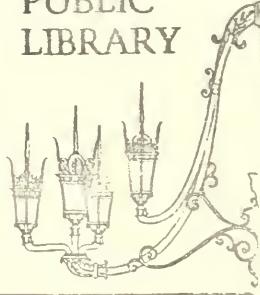
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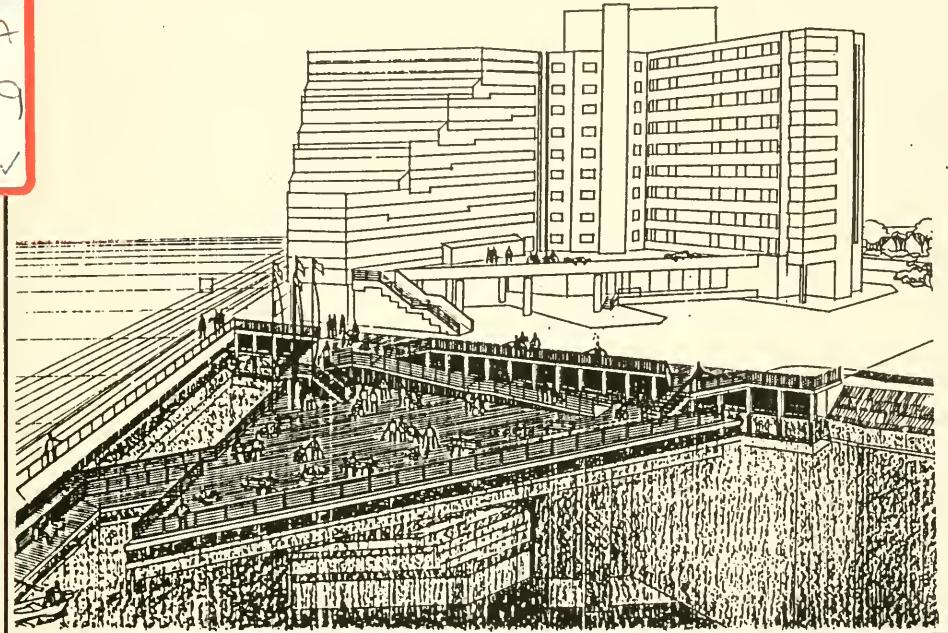


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FINAL ENVIRONMENTAL IMPACT REPORT

PREPARED FOR:

THE SPAULDING REHABILITATION
HOSPITAL CORPORATION
125 Nashua Street
Boston, MA 02114

PREPARED BY:



H M M A S S O C I A T E S , I N C .

ENGINEERS, ENVIRONMENTAL CONSULTANTS & PLANNERS

SPAULDING REHABILITATION HOSPITAL
BUILDING ADDITION
AND
THERAPEUTIC/RECREATIONAL PIER

FINAL ENVIRONMENTAL IMPACT REPORT
EOEA NO. 7317

June 15, 1989

Prepared for:

THE SPAULDING REHABILITATION HOSPITAL CORPORATION
125 Nashua Street
Boston, Massachusetts 02114

Prepared by:

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This Environmental Impact Report has been prepared for the Spaulding Rehabilitation Hospital Corporation by HMM Associates, Inc. with assistance from the following:

Hoskin Scott Taylor and Partners, Inc. – Architects

Childs Engineering – Marine Engineers

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CIRCULATION LIST

<u>No. of Copies</u>	<u>Address</u>
3	Secretary of Environmental Affairs 100 Cambridge Street – 20th Floor Boston, MA 02202 ATTN: MEPA Unit; EOEA No. 7317
1	Metropolitan Area Planning Council 110 Tremont Street Boston, MA 02108 ATTN: Mr. David C. Soule, Director
1	Division of Wetlands and Waterways Regulation Department of Environmental Quality Engineering One Winter Street Boston, MA 02108 ATTN: Mr. Gary Clayton, Director Ms. Andrea Langhauser, Project Manager
1	Metropolitan District Commission Planning Office 20 Somerset Street Boston, MA 02108 ATTN: Ms. Julia O'Brien Mr. Karl Haglund
1	Massachusetts Bay Transportation Authority Construction Directorate Ten Park Plaza Boston, MA 02116 ATTN: Ms. Jane Chmielinski Mr. Joe Clougherty
1	Executive Office of Transportation and Construction Ten Park Plaza – Room 3510 Boston, MA 02116-3969 ATTN: Ms. Martha Bailey, Central Artery Project Ms. Cheryl Soon
1	Executive Office of Communities and Development State Clearinghouse 100 Cambridge Street – Room 904 Boston, MA 02202
1	Boston Redevelopment Authority One City Hall Plaza Boston, MA 02201 ATTN: Mr. Larry Koff

CIRCULATION LIST (Continued)

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1	City of Boston – Transportation Department Boston City Hall Boston, MA 02201 ATTN: Mr. Andrew McClurg
1	The Environment Department Boston Conservation Commission Boston City Hall – Room 805 Boston, MA 02201 ATTN: Ms. Lorraine Downey Mr. Brian Glascock
1	Army Corps of Engineers – Regulatory Branch 424 Trapelo Road Waltham, MA 02254-9149 ATTN: Ms. Karen Kirk-Adams, Unit Chief Operations Division
1	Massachusetts Coastal Zone Management 100 Cambridge Street – 20th Floor Boston, MA 02202 ATTN: Mr. Jim O'Connell
1	Harborpark Advisory Committee 185 State Street Boston, MA 02109
1	Department of Public Health Determination of Need Program 150 Tremont Street Boston, MA 02111
1	Boston Water and Sewer Commission 425 Summer Street Boston, MA 02210 ATTN: Ms. Libby Blank
1	Charles River Watershed Association 2391 Commonwealth Avenue Auburndale, MA 02116 ATTN: Mr. John Monroe, Executive Director
1	Robert H. Johnson, Department Chief Massachusetts Department of Public Works Ten Park Plaza – 3rd Floor Boston, MA 02116 ATTN: Mr. Frank Bracaglia

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1	Massachusetts Historical Commission 80 Boylston Street Boston, MA 02166 ATTN: Ms. Valerie Talmage
1	Massachusetts Health and Educational Facilities Authority Ten Post Office Square – Room 1200 Boston, MA 02109 ATTN: Mr. Stephen Dansby
1	Harborpark, Harbor Planning and Development One First Avenue Charlestown Navy Yard Boston, MA 02129 ATTN: Mr. John Leigh Ms. Emil Hadzipasic
10	The Spaulding Rehabilitation Hospital Corporation 125 Nashua Street Boston, MA 02114 ATTN: Ms. Susan Glasser

SECTION 1.0
SECRETARIAL DECISIONS

1.0 SECRETARIAL DECISIONS

This section contains copies of letters documenting decisions made by the Secretary of Environmental Affairs regarding this project. The Environmental Notification Form (ENF) was submitted in October 1988, as required to obtain \$7.5 million in financing from the Massachusetts Health and Educational Facilities Authority (HEFA).

Based on agency comments, particularly those concerning the applicability of Chapter 91 and Article 31, it was determined that further analysis would be required through the preparation of a Draft Environmental Impact Report (DEIR). However, MEPA was able to limit the required scope of the EIR to specific issues. These were related to:

- o Chapter 91
- o Local Zoning and Planning Review
- o Construction Impacts and Mitigation
- o Visual Impacts and Design

Prior to preparation of the Draft EIR, the Spaulding Rehabilitation Hospital Corporation (SRH) contacted MEPA to formally include the therapeutic/recreational pier as part of this project. SRH also confirmed, after discussions with the BRA, that Article 31 review was not required.

The Draft EIR was submitted on March 31, 1989. The Secretary's Certificate on the Draft EIR found the document to be very responsive to the issues included in the Scope, and determined that questions remained regarding only three issues: design of the pier, public access, and construction scheduling.

Accordingly, this Final EIR presents: a single alternative for pier and access design that is acceptable to all commenting agencies; a discussion of the construction schedule for these elements of the project; a draft Section 61 Finding, as requested by MEPA, summarizing the mitigative elements of the project relating to Chapter 91 licensing issues; and responses to the comment letters submitted to MEPA regarding the Draft EIR.



The Commonwealth of Massachusetts
Executive Office of Environmental Affairs
100 Cambridge Street
Boston, Massachusetts 02202

MICHAEL S DUKAKIS
GOVERNOR

JAMES S HOYTE
SECRETARY

October 27, 1988

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME	:	Building Wing Addition
PROJECT LOCATION	:	125 Nashua Street, Boston
EOEA NUMBER	:	7317
PROJECT PROPONENT	:	Spaulding Rehabilitation Hospital
DATE NOTICED IN MONITOR	:	September 13, 1988

Pursuant to the Massachusetts Environmental Policy Act (G.L., c.30, s.61-62H) and Sections 11.04 and 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that the above project requires the preparation of an Environmental Impact Report.

The project includes the construction of a forty thousand square foot vertical addition to the shortest wing of the Spaulding Rehabilitation Hospital to be used for physical and occupational therapy, business offices, conference space, physician offices, conference space, and a Chapel. The addition can be accomplished without driving new pilings, and is anticipated to be constructed over a two year time frame.

The project site is located within the boundaries of the downtown area of Boston in accordance with Article 31 of the Boston Zoning Code. Thus, project will be subject to a project impact review process by the Boston Redevelopment Authority (BRA) which closely mirrors the environmental impact review process under MEPA. Other approvals of significance include a Determination of Need (DON) approval from the Department of Public Health and a G.L. Chapter 91 license for construction on historic tidelands of Boston Harbor.

Issues which have been raised during the Environmental Notification Form (ENF) review of the project relate to such things as public access to the waterfront, impacts of construction, aesthetics (visual impact) and parking.

These issues will have to be addressed in the documentation required by Article 31 which, as a local process, would not include provisions for input from state agencies. Thus, it is my view that the planning of the project will be best served by a coordinated review of the project by state and local authorities who have regulatory or other interest in one or more of the issues of concern. It is on this basis that I have determined that an Environmental Impact Report (EIR) is warranted for the project, although I do not see the requirement as anyway burdensome to the proponent since I am requesting that the same document which is prepared for Article 31 review be submitted to MEPA and the state agencies which are designated below. Format of the document can be dictated by the requirements of Article 31, provided substantive responses to this Certificate and comments are included.

SCOPE

EIR Distribution

In addition to any local requirements for distribution of the documents, they should also be distributed to the following:

- o Secretary, EOEA (3 copies)
- o Metropolitan Area Planning Commission
- o DEQE, Division of Wetlands and Waterways (Boston)
- o Metropolitan District Commission
- o MBTA
- o Executive Office of Transportation and Construction

General

The comments submitted by the DEQE, BRA, the MDC, the MBTA and EOTC, when combined, convey all the issues which the report would need to address in order to satisfy this Scope. These letters raise questions regarding the proposal in relation to its use of historic tidelands, to the overall plans (i.e. masterplan) for the Hospital, and to surrounding uses which must be addressed. More specific guidance is provided below.

Ch.91

Items 2-6 of the DEQE comment are hereby incorporated into this Scope. These items mainly relate to the questions of public access and aesthetics.

Construction Impacts

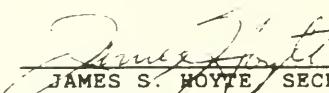
Based on information which has been provided by the Hospital during the ENF review, I have been convinced that the project will not result in a significant increase in vehicular traffic or parking needs in the long term. Nonetheless, a description of the construction impacts which are likely to occur and the mitigation measures to be adopted, which is responsive to the MBTA comment and that of the MDC must be included.

Mitigation

In all cases, where mitigation is identified as being necessary, the report must identify the party who will be responsible for implementing it.

October 27, 1988

DATE


JAMES S. HOYTE SECRETARY

Comments received: BRA 9/27/88
DEQE 10/4/88
MDC 10/3/88
MBTA 10/13/88
EOTC 10/3/88

JSH/JW/jiw

hm H M M A S S O C I A T E S , I N C .

ENGINEERS ENVIRONMENTAL CONSULTANTS & PLANNERS

HMM Ref. 2904/2606E

March 7, 1989

Ms. Jackie Wilkins
MEPA Unit
Executive Office of Environmental Affairs
20th Floor
Boston, MA 02202

Dear Ms. Wilkins:

As we discussed by telephone on March 6, 1989, the Spaulding Rehabilitation Hospital wishes to clarify the scope of the Draft Environmental Impact Report for EOEA project #7317, as follows:

- 1) The Certificate of the Secretary, dated October 27, 1988, states that the project "will be subject to a project impact review process by the Boston Redevelopment Authority (BRA)" under Article 31. However, in discussions with the BRA on March 3, 1989, the Spaulding Rehabilitation Hospital was informed that the proposed 40,000 square foot building addition falls below the BRA Article 31 threshold of 50,000 square feet. Thus, this project will not be subject to the preparation of a Project Impact Report and other review requirements particular to Article 31. The project will undergo a less involved design and transportation review by the BRA. Any issues scoped in that review will be incorporated for analysis and mitigation into the Draft EIR.
- 2) The recreational pile-supported pier, referenced in several agency comments on the ENF, will now be formally included as part of EOEA project #7313. Construction of the pier will not commence until the building addition is complete but will begin within five years from the issuance of the DEQE Chapter 91 Waterways License. A full description of the pier and analysis of potential environmental impacts will be incorporated into the Draft EIR.

If you have any questions regarding these changes, please do not hesitate to contact me at (508)369-0119. I will assume that no response indicates MEPA approval of these changes.

Sincerely,
HMM Associates, Inc.


Elizabeth T. Gowell

ETG/jf

cc: Manuel J. Lipson, M.D.
Ms. Susan Glasser
Mr. Henry Newman
Project File #2904



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

MICHAEL S DUKAKIS
GOVERNOR

JOHN DEVILLARS
SECRETARY

May 22, 1989

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
DRAFT ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Spaulding Rehabilitation Hospital
PROJECT LOCATION : 125 Nashua Street, Boston
EOEA NUMBER : 7317
PROJECT PROPONENT : Spaulding Rehabilitation Hospital Corp.
DATE NOTICED IN MONITOR : April 13, 1989

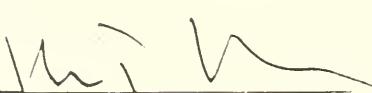
The Secretary of Environmental Affairs herein issues a statement that the Draft Environmental Impact Report submitted on the above project adequately and properly complies with the Massachusetts Environmental Policy Act (G.L., c.30, s.61-62H) and with its implementing regulations (301 CMR 11.00).

I find the Draft Environmental Impact Report (DEIR), in general, to be a well written document, which, despite the many disclaimers for jurisdiction under MGL Ch. 91, is very responsive to the issues which were included in the Scope.

The comments from the Department of Environmental Quality Engineering (DEQE), the Charles River Watershed Association (CRWA), Boston Environment Department, and the Metropolitan District Commission (MDC), collectively convey the information which is needed in the Final EIR regarding access, pier design and construction scheduling. The FEIR must depict a single alternative which is acceptable to all agencies, so additional consultation should occur prior to submitting the document.
Lastly, the FEIR must include a draft Section 61 Finding, which summarizes the mitigative elements of the project relating to the Chapter 91 licensing issues.

May 22, 1989

DATE


JOHN P. DEVILLARS, SECRETARY

Comments received: DEQE DWWR 5/15/89
Boston Environment Department 5/15/89
Charles River Watershed Association 4/13/89
MDC 5/15/89
MAPC 5/11/89
Boston Redevelopment Authority 5/17/89

JD/JW/jiw

SECTION 2.0
PROJECT SUMMARY

2.0 PROJECT SUMMARY

2.1 Name of Project Proponent

The name of the project proponent is The Spaulding Rehabilitation Hospital Corporation, an affiliate of the Massachusetts General Hospital.

2.2 State Identification Number

The EOEA number assigned to this project is #7317. It is Department of Health Determination of Need application #4-3474. The Chapter 91 Waterways License application number assigned by the DEQE Division of Wetlands and Waterways Regulation is 89W-071N. No other numbers have been assigned at this time.

2.3 Project Description

The Spaulding Rehabilitation Hospital (SRH) is proposing a vertical addition of 40,000 square feet on top of the hospital's existing four-story east wing. The purpose of this addition is to provide urgently needed space for existing health care services. The Department of Public Health (DPH), in their Determination of Need Approval for this project, found that "SRH lacks adequate space for both inpatient and outpatient rehabilitation therapies in all disciplines." DPH further stated that "modernization of the physical plant will result in increased efficiencies in hospital operations, and will relieve the overcrowding in the facility." The addition will be constructed entirely within the existing footprint of the east wing and will not exceed the height of the other hospital wings.

SRH is also proposing to construct a main deck of this pile-supported recreational pier over the Charles River. The 7,000 square foot timber pier will partially replace recreational space that was lost in 1984 when an MBTA trestle deck and pier in the Charles River adjacent to the site was destroyed in a fire. Prior to the fire, SRH had leased space on the pier for parking and patient recreation and therapy. The proposed pier will be built on piles that formerly supported the trestle, and new non-leaching treated timber piles. A promenade walkway and observation promontory of 5,700 square feet will extend into the river from main deck of the pier. The deck will be fully

accessible to handicapped persons and wheelchairs via ramps and stairs that will connect the pier and promontory to existing walkways. In addition to providing essential recreation and therapy space for SRH patients, the pier will be a significant public facility, providing unique and much-needed barrier free access to the Charles River. A small boat landing area will provide transient dockage. The pier will also provide fishing access for SRH patients and the general public. To ensure that the pier is integrated with adjacent recreation areas, SRH will maintain a pedestrian walkway through its site that will connect the pier with the MDC's planned expansion of the Esplanade to the west and the MBTA's planned cross-track pedestrian bridge in the North Station area. SRH will also dedicate a portion of its property at the northwest corner of the site to public access to facilitate this linkage. When complete, the pier will be a significant link in the larger open space system created by the Charles River Esplanade park and Harborwalk.

2.4 Federal, State, and Local Regulatory Review and Approvals

2.4.1 Building Addition

The proposed 40,000 square foot building addition will require environmental review and approval by the following agencies:

- o Department of Health:
Compliance with Approved Certificate of Need
- o DEQE – Division of Wetlands & Waterways Regulation:
Chapter 91 License
- o Boston Conservation Commission:
Order of Conditions

2.4.2 Recreational Pier

The proposed 7,000 square foot pile-supported triangular recreational pier plus walkway and promontory may require environmental review and approval by the following agencies:

- o DEQE – Division of Wetlands & Waterways Regulation:
Chapter 91 Waterways License
- o DEQE Division of Water Pollution Control:
Water Quality Certificate
- o Army Corps of Engineers:
Section 10/404
- o Boston Conservation Commission:
Order of Conditions
- o Metropolitan District Commission:
Permit for Work in the Charles River

2.5 Summary of Major Environmental Effects

The project's potential environmental effects are summarized below, and were discussed in detail in the Draft EIR. Appropriate mitigation measures have been developed as needed and are summarized in Section 2.6.

2.5.1 Chapter 91 Tidelands Jurisdiction

Based on the best available historical information, and records filed with DPW Waterways License No. 1177-A, the SRH site is located on an area of filled natural tidelands of the Charles River. These tidelands were authorized to be filled under License No. 1177-A issued to the Boston & Maine Railroad in 1930 to provide land area for expansion of rail service to North Station. Waterways Licensing records indicate that these filled tidelands consist of filled Commonwealth and Private tidelands, with the majority of the SRH site located in filled Commonwealth tidelands.

The filled tidelands at the SRH site have also been the subject of two special legislative acts affecting the State's disposition of its right, title, and interest in these tidelands. These statutes also present very unique circumstances regarding the extent and applicability of Chapter 91 jurisdiction on the proposed project. The first special act was Chapter 691 of the Act of 1962 which deemed the portion of License No. 1177-A that

authorized the filling of solid tidelands at the SRH site to be irrevocable by the State under Chapter 91. The second special act was Chapter 341 of the Acts of 1980 which is a very unique statute affecting the tidelands at the SRH site. This statute transferred and released any and all of the Commonwealth's right, title, and interest, including any theory of public trust that the State may have in these tidelands under Chapter 91 (emphasis supplied). Furthermore, the statute declared that SRH serves "a most valuable proper public purpose providing for the health and care of the people of the Commonwealth", thereby meeting Chapter 91's primary statutory standard.

Fully consistent with the spirit and intent of Chapter 341, it is SRH's position that the Commonwealth's public trust interests in tidelands at the project site under Chapter 91 are no longer applicable, so long as the site serves as a hospital facility, which indeed it does, and will continue to do so.

It is also SRH's position that any residual or contemporaneous statutory interests of Chapter 91 have been met and complied with. Therefore, SRH is of the opinion that DEQE's assertion that a new Chapter 91 Waterways License is required for the proposed building addition is not warranted by virtue of the Commonwealth's disposition of the site's public trust interests under Chapter 341. Although DEQE has recognized the unique circumstances of the special act, the agency maintains that it has police power regulatory jurisdiction over any changes in use or structural alterations of licensed structures and/or fill in tidelands. Notwithstanding SRH's position on the non-applicability of Chapter 91 jurisdiction for the proposed project, SRH has agreed to submit an application and obtain a Waterways License from DEQE. This decision by SRH was made in the best interest of the project so as not to delay the critical path schedule for construction commencement. In turn, DEQE has agreed to an accelerated time schedule for Chapter 91 review and approval to meet the established construction schedule.

2.5.2 Visual Impact Analysis

Because the Spaulding Rehabilitation Hospital is located on the Charles River, the project's potential visual impacts on the waterfront are of concern. With input from the BRA, MDC, Harborpark, MBTA, DEQE and Charles River Watershed Association (CRWA), care has been taken in the development of the building, pier, and pedestrian walkway designs to minimize visual impacts and integrate this project with MDC and Harborpark plans to develop adjacent sites for parkland. SRH adopted all agency suggestions

concerning the shape and color of the building, including set-backs along the water's edge. The height of the building addition will be the same as that of the hospital's existing wings, although view corridors are not of concern except at the river's edge in this otherwise developed North Station area. On the water, the proposed pier and observation promontory will provide unique visual access to the Charles River Basin. The size of the pier has been scaled down to reduce encroachment on the watersheet. Visual impact mitigation is summarized in Section 2.6.2.

2.5.3 Traffic and Parking

The proposed project will not have any appreciable impact on traffic. The building addition is needed to better accommodate existing medical services. SRH does not anticipate more than 44 additional staff and outpatients to be associated with the proposed addition.

All additional staff parking needs will be accommodated through an existing off-site parking arrangement with the Museum of Science.

Parking on-site is critical for SRH outpatients, many of whom are disabled and must be transported to and from the hospital by their families and/or chair-car services. On-site parking for visitors, who are typically elderly due to the nature of the hospital's population, is also essential. Arrangements to ensure adequate parking for any additional outpatients associated with the addition are summarized in Section 2.6.3.

In 1991, parking leased from DCPO will be lost when the land adjacent to SRH is transferred to the MDC for development as parkland. SRH has begun to develop long-range plans to accommodate parking needs when this transfer occurs. These plans are summarized in Section 2.6.3.

2.5.4 Construction Impacts

As required by the Boston Transportation Department, the contractor will develop and file a construction management plan to ensure that work vehicles and equipment associated with the proposed project will have minimal impacts on Nashua Street traffic. Staging areas for construction equipment and vehicles will be confined to the SRH site. This will displace some on-site parking. Plans to provide off-site parking during construction are summarized in Section 2.6.4. Dust and noise associated with construction may impact hospital patients and pedestrians. Mitigation measures to

minimize these impacts have been developed and are summarized in Section 2.6.4. The project's impact on EOTC activities related to the Central Artery project should be minimal. Efforts to ensure coordination between SRH and EOTC are summarized in Section 2.6.4

2.5.5 Local Regulatory Review

When this project was first proposed in 1986, SRH received a variance from the City of Boston's Zoning Board of Appeals (ZBA) for the building addition. Due to the length of time required for Department of Public Health review of the project, this variance expired. SRH applied for a new variance on March 13, 1989.

The project is also being reviewed by the Boston Redevelopment Authority (BRA). The proposed 40,000 square foot building addition falls below the BRA Article 31 threshold of 50,000 square feet. Thus, SRH will not be required to prepare a Project Impact Report and undergo other review particular to Article 31. SRH has submitted a Master Plan to the BRA in May 1989.

In meetings with the BRA and the Boston Traffic Department, it was determined that the square footage of the project is under the threshold for requiring a formal traffic plan. A construction management plan will be filed by the contractor who is selected for the project. SRH will continue to work cooperatively with the Boston Traffic Department and Executive Office of Transportation to review and develop any coordination efforts that may be required.

2.6 Summary of Mitigation Measures

Measures have been developed and will be implemented to mitigate potential adverse impacts resulting from the proposed project. These are summarized below, and were discussed in detail in the Draft EIR.

2.6.1 Chapter 91 Tidelands Mitigation

In light of the fact that Chapter 341 of the Acts of 1980 declares that SRH presently serves a most valuable proper public purpose by providing for the health and care of the Commonwealth, any use of the tidelands at the project site associated with the hospital meets the primary statutory standard required for license issuance under

Chapter 91. Since the proposed project in its entirety is directly related to the continued operation of the hospital, and hence, serves a most valuable public purpose, mitigation measures to ensure compliance with Chapter 91 standards are not required in this instance.

It should be recognized, however, that although Chapter 91 mitigation measures are not required by virtue of Chapter 341, SRH has included in the proposed project substantial public benefits to be constructed and maintained by SRH. These benefits relate to enhancement of public access and use of the site's waterfront area. SRH has proposed to construct and maintain a pile-supported recreational use pier that will be open to the general public. SRH has also proposed to provide public pedestrian access through the site and along its waterfront edge. Moreover, SRH has voluntarily accepted its role in creating continuous public access along this area of the Charles River shoreline by connecting SRH public access walkways with the adjacent proposed MDC Esplanade extension and the MBTA's planned cross-track pedestrian access bridge. These are significant public waterfront access and use benefits that are not necessarily required to be provided by SRH to obtain Chapter 91 authorization.

2.6.2 Visual Impacts Mitigation

The proposed project has undergone a series of design revisions to mitigate the building addition's visual impact on the Charles River waterfront along the SRH site. Following discussions with the BRA and MDC in 1986, the building addition was redesigned to incorporate step-backs that reduce massing. The BRA also suggested and SRH adopted a light-colored exterior treatment to further reduce the visual impact of the addition on the waterfront. It should be recognized that SRH's substantial redesign of the building addition in response to agency concerns has resulted in additional design costs and estimated additional construction costs of \$500,000.

The recreational pier had also been substantially redesigned by HST and Partners architects and Childs Engineering as a result of design development discussions with MDC, BRA, DEQE, MBTA, Harborpark, Charles River Watershed Association. The current pier design (shown in Figures 3-4 and 3-5) represents a consensus on size, shape and location that is acceptable to all parties. The details of the handicapped rails, promontory, stair and ramp placement and amenities including benches and planters will be finalized in continuing

design development discussion prior to the issuance of a Chapter 91 Waterways License. The main deck of the pier (7,000 square feet) is half the size of the 15,000 square foot pier proposed in the Draft EIR. The triangular structure was scaled down and surrounded with open water to create the impression of a "floating" structure and to give a sense of being on the water. The MDC Commission gave its preliminary approval of this design on June 8, 1989 and will continue to participate in design development to ensure that the final design is consistent with plans to expand the Esplanade to the west of the SRH site and develop parkland across the river.

The proposed pedestrian walkway was also developed with extensive input from various interested agencies. This walkway has been designed to ensure pedestrian safety and convenient access to the MDC's planned expansion of the Esplanade and the MBTA's planned provision of cross-track pedestrian access at North Station. It will also be well-marked and landscaped to provide pedestrians a pleasant passageway. A detailed discussion of pedestrian access appears in Section 3.6.

2.6.3 Traffic and Parking Mitigation

The proposed project will not substantially increase vehicle traffic to or from the site. Up to 25 additional outpatients may be associated with the addition resulting in a maximum of 50 vehicle trips per day. The new addition will include no new beds or other new services. Additional employees will park off-site or use public transportation. Therefore, impacts will be minimal and mitigation is not required. As part of its long-term planning, SRH will continue to develop incentives for staff and visitors to use public transportation.

Any need for additional staff parking will be accommodated by SRH's existing arrangements to use the Museum of Science garage. SRH will also work with the Museum on a long-term parking plan to accommodate the small number of senior SRH employees who presently park on land leased from the DCPO. SRH will lose this parking when the MDC begins its planned Esplanade expansion. Parking for additional outpatients will be made available by displacing some SRH staff to off-site parking.

2.6.4 Construction Impacts Mitigation

SRH has developed schedules and site plans to show equipment staging areas, vehicle needs, and construction activity during various phases of the two-year building addition construction. These will be provided to the EOTC, per the agency's request, to ensure coordination with Central Artery/Third Harbor Tunnel activities. All staging and construction will be confined to the SRH site to ensure that commuter rail operations are not affected.

During construction, on-site parking will be displaced. Arrangements have been made for employees to park at the Museum of Science during this period to assure that visitor and outpatient parking continues to be adequate. Pedestrian circulation on-site will be rerouted as necessary to ensure visitor safety. Emergency vehicles may also be rerouted.

The hospital is a sensitive receptor. To minimize potential air pollution and noise impacts on patients, the contractor will use curtains to contain dust and debris and use equipment that mitigates noise. This will also keep construction impacts on pedestrians and neighboring buildings to a minimum.

2.6.5 Local Regulatory Review Mitigation

SRH submitted a Master Plan to the BRA in May 1989. This plan addresses the short-term and long-term goals of the hospital and its relationship to other projects that are planned in the North Station area. The Zoning Board of Appeals hearing for this project is scheduled on June 27, 1989.

2.7 Construction Costs and Schedule

The construction cost of the building addition is projected to be \$7.5 million. The estimated construction cost of the recreational pier is \$1.2 million. SRH plans to begin the two-year construction of the building addition in October 1989. Construction of the pier, anticipated to last four months, will begin in the summer or fall of 1991. SRH will make every effort to accelerate the start of pier construction so that this recreation area will be open for public use during the 1991 summer season. However, construction/renovation management and equipment staging needs may make an early construction start impractical.

SECTION 3.0
DESCRIPTION OF
RECREATIONAL PIER
AND PUBLIC ACCESS

3.0 DESCRIPTION OF RECREATIONAL PIER AND PUBLIC ACCESS

3.1 Existing Site Conditions

SRH is located on a parcel of land approximately 2-1/2 acres in size, lying between the Charles River, Nashua Street, and North Station in Boston (see Locus Plan, Figure 3-1). The site has been fully developed for use as a hospital since 1970. The existing hospital building occupies 45,360 square feet. The remainder of the site is used for parking, vehicle access, and sidewalks. Limited grade-level parking and a driveway with ambulance access are located beneath the east wing. A loading dock is located on the north side of the hospital.

Major changes to the SRH site occurred in 1986 in conjunction with the relocation of Nashua Street. SRH entered into an agreement with the Commonwealth of Massachusetts to sell approximately 18,000 square feet of land to facilitate the relocation of the roadway. This, in turn, freed up a parcel of land to make possible the new Suffolk County jail that is presently under construction. The relocation of Nashua Street necessitated a change in the hospital entrance and traffic pattern on-site. SRH used this reworking of its site as an opportunity to introduce substantial landscaping improvements in the front of the building. The hospital has built attractive fencing and shrubbery which distinguishes its property from that of abutters.

A concrete and granite block seawall forms the border of the site along the Charles River. There is no emergent wetland vegetation. There are several dozen timber pilings and some delapidated structures which formerly supported an MBTA trestle bridge in the Charles River near the SRH site. When the bridge burned in 1984, SRH worked with the MBTA and MDC to save a certain number of these existing piles, anticipating that they might be reused for the construction of a recreational use pier at some future date. A photo of the SRH site showing these piles is provided in Figure 3-2.

3.2 Abutting Land Uses

As shown in Figure 3-3, the SRH site is bordered by MBTA commuter rail tracks to the east, the Charles River to the north, Nashua Street and DCPO property to the west, and Massachusetts General Hospital land to the south. The Registry of Motor Vehicles and new Suffolk County jail are located across Nashua Street from the site. The Massachusetts General Hospital (MGH) land serves as a parking area for MGH employees.

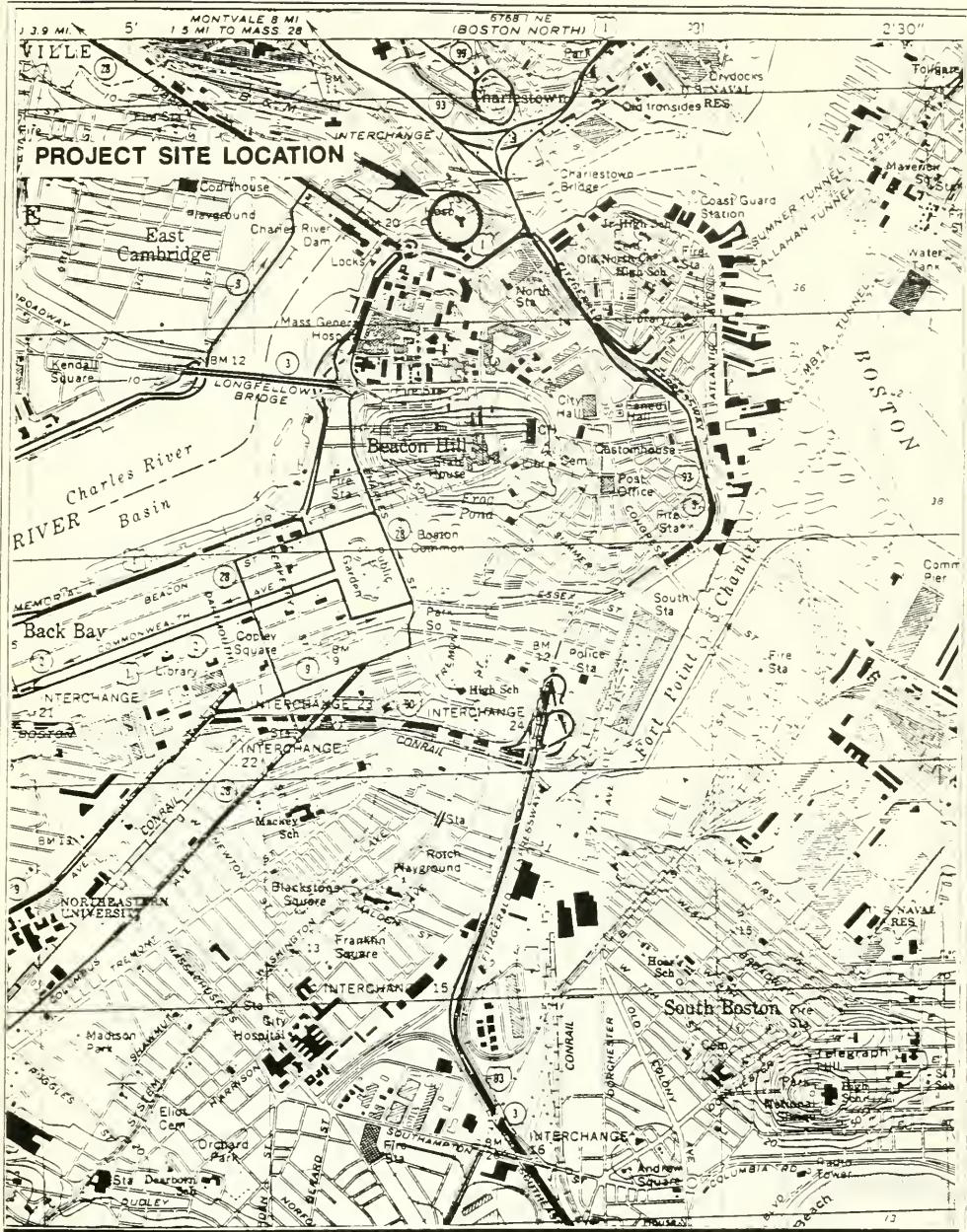


FIGURE 3-1
LOCUS PLAN



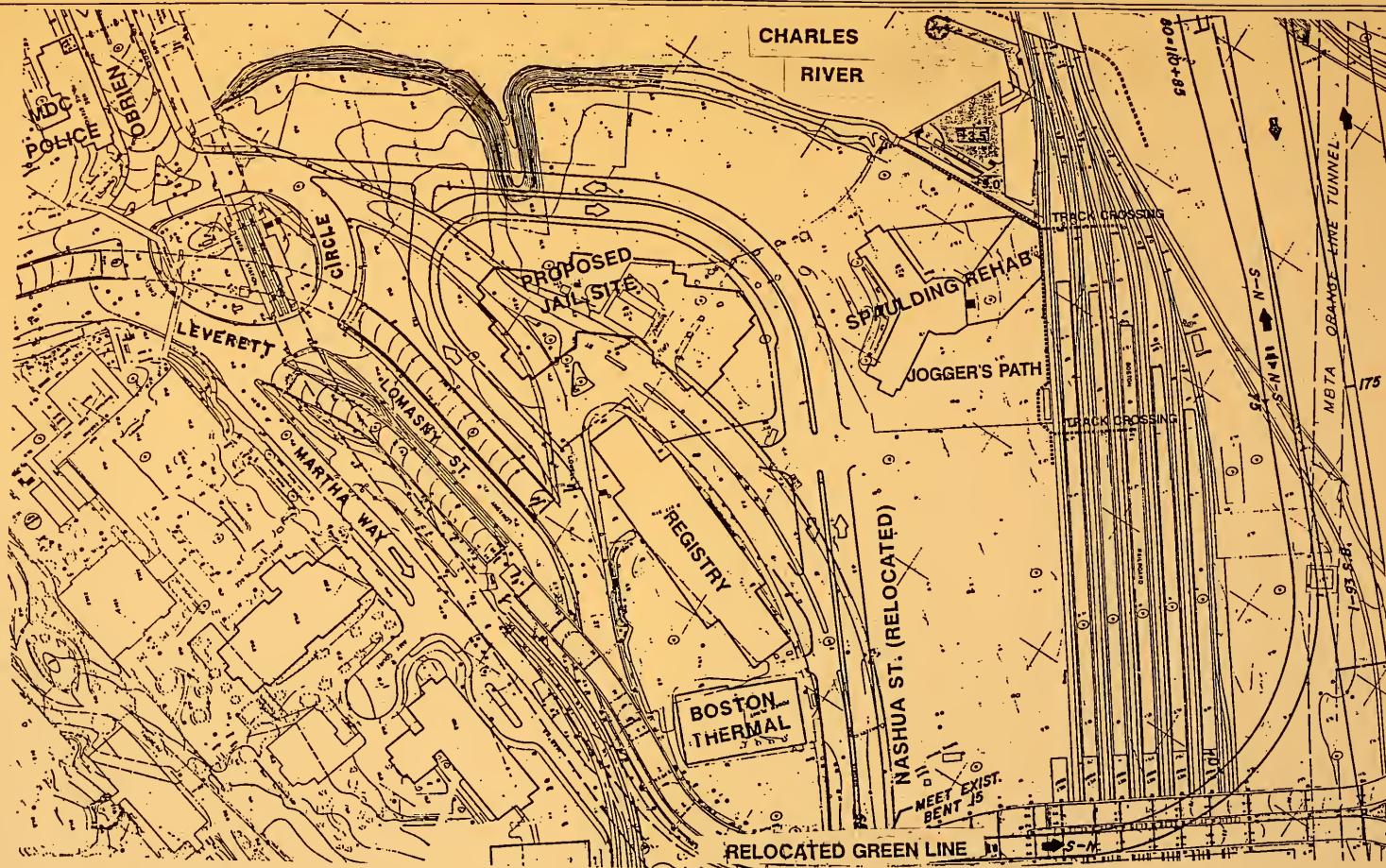


FIGURE 3-3
ABUTTING LAND USES

3.3 History of Project Planning

The need for additional space to support existing hospital activities has been actively discussed by the SRH Planning Committee since 1983. The proposed building addition and waterfront improvements have been included in the hospital's 1- and 5-year plans since 1984.

3.3.1 Recreational Pier

The pier design presented in the Final EIR has been developed over a period of five years through an inter-agency cooperative effort.

Planning for the pier began in June of 1984 after a fire destroyed the MBTA trestle deck that formerly occupied the waterfront adjacent to the SRH site. At that time SRH met with representatives of the MDC, MBTA, and Wallace Floyd Associates (who were serving as consultants to the Executive Office of Transportation & Construction) to discuss possibilities for reconstruction of a recreational use pier. In February 1985, Wallace Floyd developed a preliminary pier design. Based on this sketch, in March 1985, the MBTA and MDC made a major decision to retain some of the timber piles that formerly supported the trestle deck so that a recreational pier could be constructed in the river at a later date. The piles to be saved were cut off at water level and capped to allow for this future construction. The remainder of the piles were removed or cut below the water's surface, most of them at the mudline.

Remaining decisions regarding further design development and construction of the pier were delayed due to funding considerations. SRH filed a claim with its insurer related to the pier fire in 1984. Meetings continued with the MDC regarding their plans to expand the Esplanade and the impact of these plans on the design of the SRH pier. In 1986, a 15,000 square foot pier design was presented to the BRA as part of the variance application for the planned SRH building addition. The BRA strongly supported the concept of the pier and gave further design input. A revised preliminary pier design was approved in concept by the BRA, MDC, and Charles River Watershed Association in July 1986.

In the spring of 1988, SRH received an insurance settlement of \$800,000 for the trestle deck that was destroyed by fire. These funds are being held in escrow and will provide most of the funding required for construction of the new pier.

In February 1989, design development efforts for the pier intensified as part of SRH's effort to secure Chapter 91 Waterway's Licensing approval for the project from DEQE. Table 3-1 lists the recent series of design development meetings and the agencies and organizations in attendance at each. In addition to these meetings, SRH initiated extensive verbal and written communication with all interested parties to solicit input and reach consensus for a single pier design. The support of these agencies for the pier concept was evident in their willingness to cooperate in these discussions. SRH responded to all agency comments to the greatest extent possible given differing opinions among the interested parties. The pier design proposed in this report represents a final consensus on size, shape, and location acceptable to all parties. The MDC Commission gave its preliminary approval to the 7,000 square foot main deck design on June 8, 1989, as reflected in the correspondence included in Appendix A. The details of ramping, stairs, railings, and amenities are preliminary and will be finalized during continuing discussions with interested agencies prior to Chapter 91 licensing. The details of the promontory will also require some additional engineering and design development efforts.

3.3.2 Pedestrian Walkway

Planning for pedestrian access to link the proposed pier with the MDC's planned Esplanade expansion to the west and open spaces planned downriver began in 1985. SRH's goal was to work with the appropriate government agencies to meet the MDC and Harborpark objective to provide continuous pedestrian access along this section of the Charles River and on to Boston Harbor. To facilitate this goal, in 1986, SRH agreed to allow an elevator and stairs to be constructed on a portion of its property adjacent to the east wing. This would have provided barrier-free pedestrian access up to the MBTA's planned cross-track pedestrian bridge. In 1989 discussions, however, the MDC rejected the possibility of constructing the cross-track facility at the waterfront for aesthetic reasons (although this option is still favored by Harborpark and the BRA). At this time, the exact location of the potential track crossing is still being debated, but it is expected that it will be located 200+ feet back from the river's edge as part of an MBTA air rights structure.

To resolve the question of how pedestrians get from the proposed pier to the planned cross-track access facility, SRH has met regularly with the MDC, BRA, Harborpark, DEQE, MBTA, and other interested parties to discuss options for access through the SRH site. These discussions were part of the design development efforts listed in Table 3-1.

Numerous options for pedestrian access were described and analyzed in the Draft EIR. These have since been discussed in further detail by the various interested parties. Two potential pedestrian access routes are currently under consideration. These are described in Section 3.6.

3.4 Objectives of Recreational Pier and Walkway

The proposed recreational pier will partially replace an MBTA trestle pier that burned in 1984. SRH had leased a portion of the vacant pier from the MBTA for recreation and parking beginning in the 1970's up until the time of the fire. This 23,261 square foot decked area served as the hospital's primary outdoor recreation space and provided an important teaching component of the rehabilitation process. Patients who were learning to walk with canes or walkers following disabilities such as stroke or head injury would practice on the grass area and wooden planking of the pier as part of their therapeutic program. The SRH recreational therapy department also used this area for teaching patients new or adapted leisure skills following disability. Fishing in the Charles River was a popular pastime of stroke patients using a specially adapted one-handed fishing rod.

The proposed pier will be used by SRH to provide patients with similar recreational and therapeutic opportunities. It has been specifically designed for handicapped access. The pier will also be an important facility for the general public, providing much-needed and unique barrier-free recreational opportunities on the Charles River. Water-dependent uses will include fishing and small boat access.

The pier will also be an integral part of the Charles River Esplanade park and Harborwalk open space system. SRH will reserve a portion of the northwest corner of its property, on the waterfront, to facilitate linkage of the pier and existing boardwalk with the MDC's planned Esplanade expansion. The pedestrian walkway proposed through the SRH site will link the pier and walkways to areas downriver via a potential cross-track access facility planned by the MBTA.

TABLE 3-1
1989 DESIGN DEVELOPMENT MEETINGS

- February 13: DEQE, MDC (at DEQE)
- March 2: MDC, MBTA, DEQE (at SRH)
- March 3: BRA, HST and Partners (at BRA)
- March 8: BRA, DEQE, HST and Partners (at BRA)
- March 20: BRA, HST and Partners (at SRH)
- March 28: BRA, MDC, DEQE (at SRH)
- April 19: Harborpark Advisory Committee (at BRA)
- May 4: MDC, BRA, Harborpark, MBTA, DEQE, Charles River Watershed Association, HST and Partners (at SRH)
- May 9: BRA, Harborpark, HST and Partners (at Harborpark)
- May 15: Chapter 91 Hearing; DEQE, MDC, BRA, City of Boston Environment Department, MBTA, HST Architects, Child's Engineering (at DEQE)
- June 6: MDC, BRA, DEQE, HST Architects, Child's Engineering (at MDC)
- June 8: Presentation to MDC Commission (at MDC)



As these recreational components of the proposed project demonstrate, SRH is committed to the many open space improvements planned along this section of the Charles River. These improvements to the SRH site will be an essential link in the MDC's and Harborpark's bigger open space scheme to provide continuous public access along the Charles River to the Boston waterfront.

3.5 Description of Pier

3.5.1 Design

The pier design proposed in Figures 3-4 and 3-5 has been developed over a period of five years through an inter-agency cooperative effort. A series of eight design development meetings in recent months with SRH, BRA, MBTA, DEQE, the Charles River Watershed Association (CRWA), Harborpark, HST and Partners architects, Childs Engineering and the planning staff of the MDC, has resulted in the pier design now proposed. (This planning history is described in detail in Section 3.3.) The current pier design is remarkably similar to that originally proposed by Wallace Floyd. It consists of an 7,000 square foot timber deck, triangular in shape. From this base, a walkway extends along the MBTA tracks, then turns west to end in an observation promontory at the center of the river. This novel feature provides a new vantage point from which to view the Charles River Basin. The pier is set out from the river's edge giving the impression of a "floating" structure. However, it will be entirely supported by timber piles. This pier is several thousand square feet smaller than the optimal space SRH would prefer for recreation asnd therapeutic activities. The deck size was scaled back in response to agency opinion that a smaller pier would provide a greater sense of being on the water.

The pile-supported structure will be constructed on existing piles that formerly supported the trestle pier and some new non-leaching, treated timber piles. The design drawings presented here were developed by Hoskins Scott Taylor and Partners in association with Childs Engineering.

The pier has been specifically designed to allow handicapped persons and wheelchairs full access. Straight ramps will allow users to descend from an existing 9-foot high wooden boardwalk to the pier platform at approximtely 3.5 feet above the ordinary water level. Ramps will then rise from the pier to the observation promontory which will be built on top of an existing channel fender abuttment at approximately 6 feet above water level. Alternate access will be provided by stairs at both ends of the pier base and from the far end of the existing walkway along the MBTA tracks.

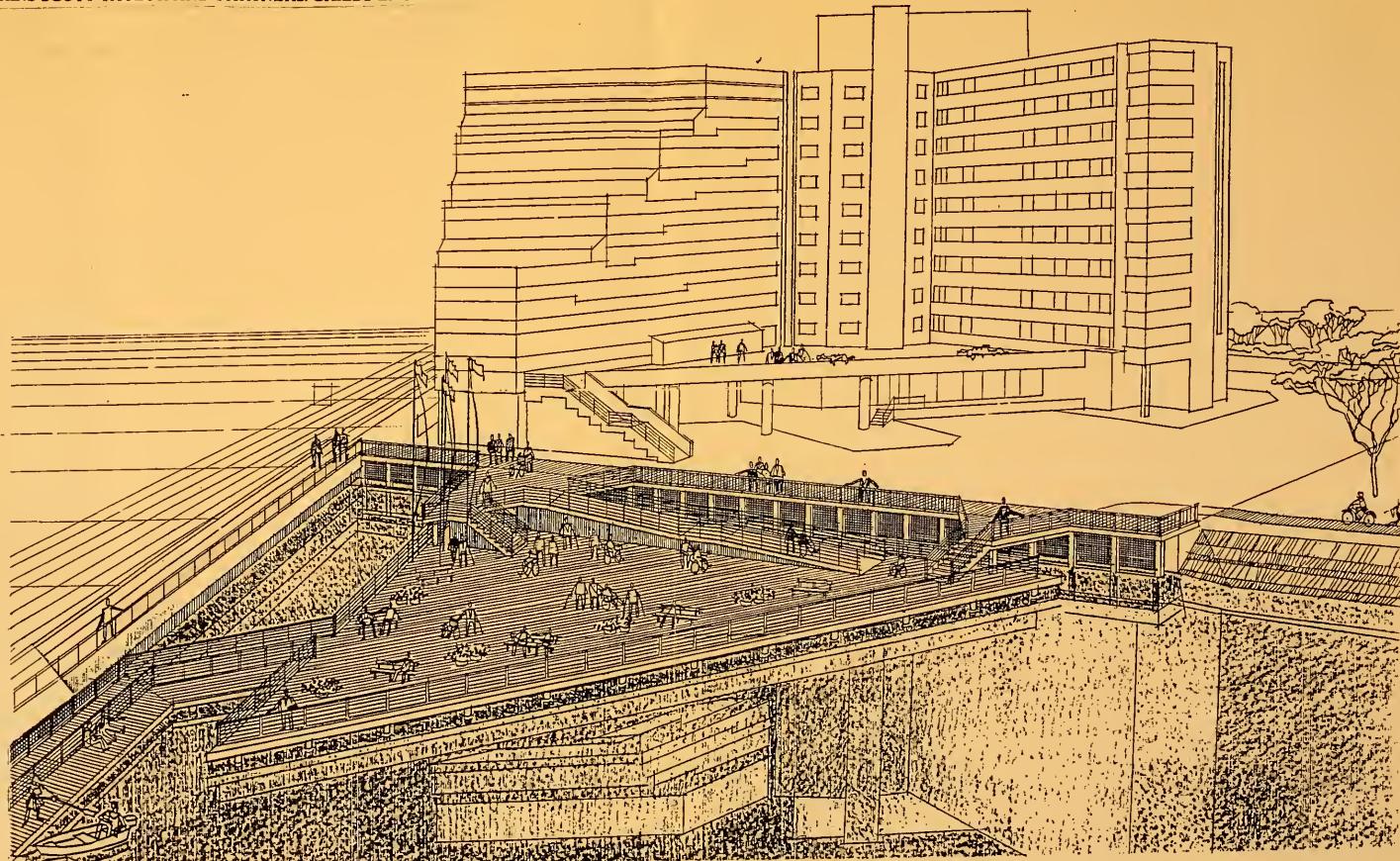


FIGURE 3-4
PROPOSED RECREATIONAL PIER

BOAT PASSAGE UNDER DRAW BRIDGE

HOSKINS SCOTT TAYLOR AND PARTNERS/CHILDS ENGINEERING

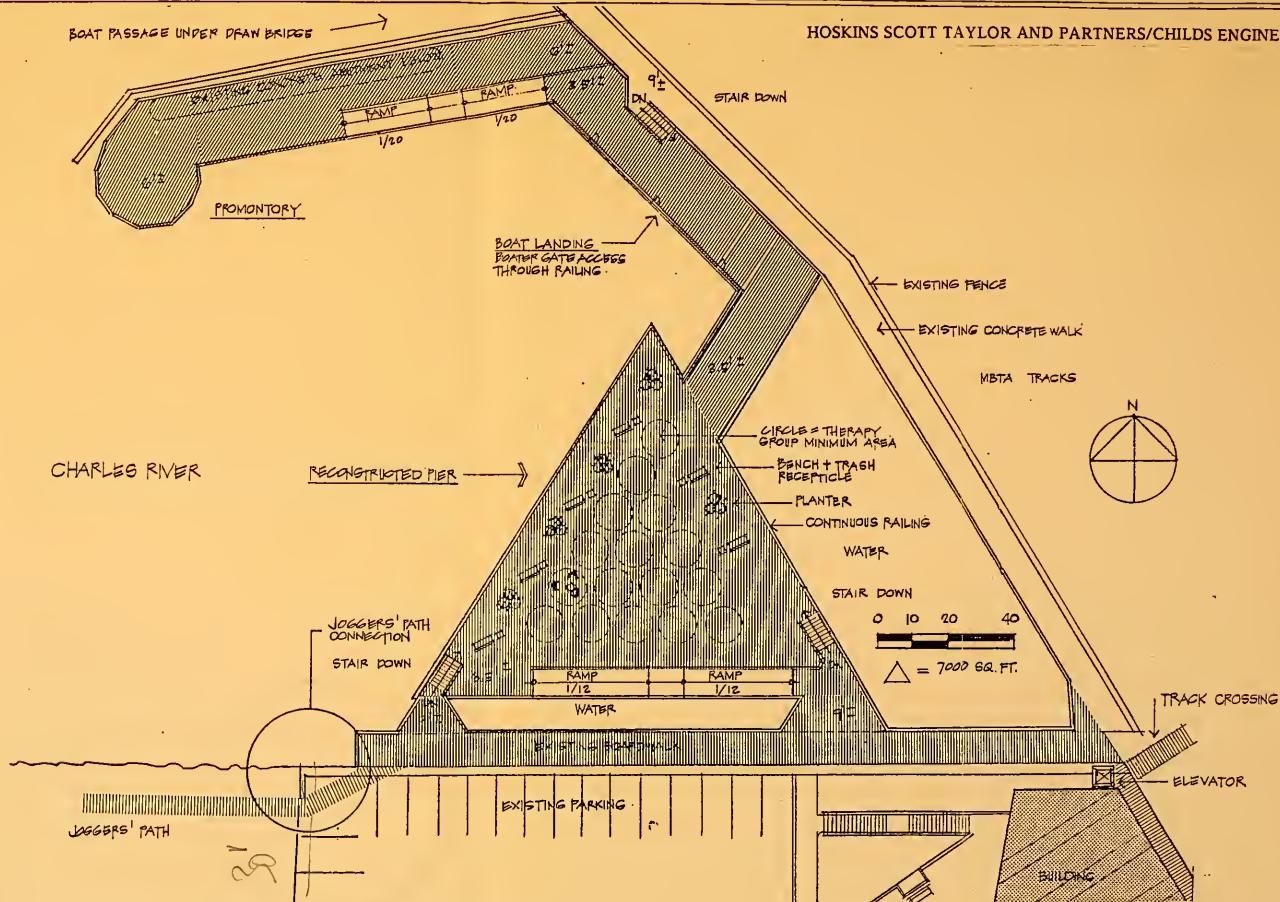


FIGURE 3-5
SITE PLAN OF PROPOSED RECREATIONAL PIER

Through the extensive design development efforts described, all interested parties have reached consensus that the most acceptable size, shape, and location of the pier are as proposed. The details of ramp and stair location, railing design, and the engineering of the promontory are preliminary. These will be finalized as part of continuing discussions prior to issuance of a Chapter 91 Waterways License.

3.5.2 Water-Dependent Uses

In response to agency requests, SRH has agreed to provide transient docking for canoes and other small crafts on a designated section of the pier, as indicated in the drawings. The MDC will assist in policing this use. No overnight docking will be allowed. Signage will be developed to inform the boating public as to the rules and regulations for transient use of the pier. These rules and regulations will be developed by SRH in conjunction with the appropriate agencies, from time to time. SRH is also working with the agencies to develop a handicapped railing and gate design that will allow boater access to the pier while preserving the safety of wheelchair and handicapped users. Patient and public safety are of highest priority to SRH and of concern to the BRA and MDC Commission. Details of the boat landing and boater access will be finalized as part of continuing discussions prior to issuance of a Chapter 91 Waterways License.

3.5.3 Amenities

SRH will provide benches, seasonal planters, signs, flags, and lighting as amenities to encourage public use of the pier. It is anticipated that the general public shall have access to and use of the pier during the day and early evening. This use will be subject to reasonable rules and regulations as established by SRH from time to time to ensure public safety and hospital security. Signage will be developed jointly by the MDC and Harborpark for use on the SRH site. The details of the design and placement of these amenities will be finalized as part of continuing discussions prior to issuance of a Chapter 91 Waterways License.

3.6 Description of Pedestrian Walkway

3.6.1 Design

SRH will designate and maintain a 4-foot wide wheelchair-accessible pedestrian walkway through the hospital site to link the MDC's planned expansion of the Esplanade to the west with the MBTA's planned provision of cross-track access at North Station. This design had to take into consideration a number of practical issues as a consequence of severe space constraints at the SRH site. All of the hospital property not occupied by the building is already used for either sidewalk, driveway, or on-site patient and visitor parking, with the exception of a few, small landscaped areas that provide welcome green space on this otherwise developed site. Given these constraints, options for pedestrian access are limited to existing sidewalks, the driveway, and landscaped areas.

Based on design development, discussions, and correspondence between SRH, HST and Partners Architects, DEQE, MDC, BRA, Harborpark, Charles River Watershed Association, and the MBTA, the following criteria were developed for pedestrian access through the site:

- o Link adjacent recreation areas, existing and planned.
- o Barrier-free access.
- o Safe for pedestrians.
- o Visually distinct and accessible.
- o Attractive.
- o No disruption to hospital activities.
- o Limited impact on patient/outpatient parking.

Two options for pedestrian access that respond to these criteria are currently under consideration.

Option 1

SRH, the BRA, and Harborpark strongly prefer the access route shown in Figure 3-6. This path of pedestrian access most effectively assures public safety by directing pedestrians along the edge of the SRH property and avoiding vehicle traffic entirely. It is also visually distinct from the hospital's existing pedestrian traffic and will not interfere

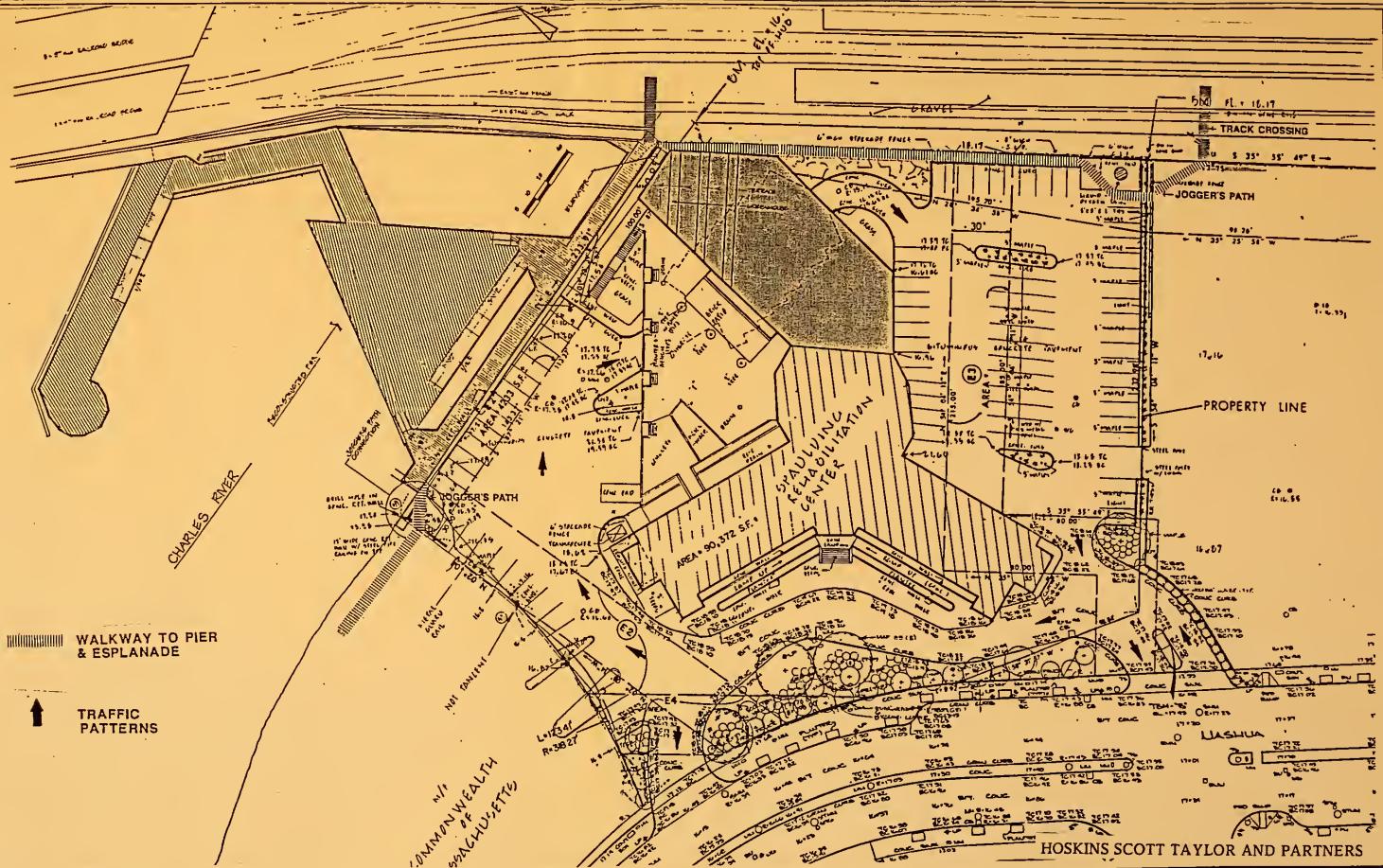


FIGURE 3-6
PEDESTRIAN ACCESS – OPTION 1

with hospital activities during or after construction. The full length of this walkway is visually accessible from the eastern end of the boardwalk along the riverfront and from the concrete walkway which runs along the MBTA tracks. This walkway may eventually continue to the other side of the Charles River.

Although this access route leads pedestrians along the fence bordering the MBTA tracks, the perceived impacts of train traffic should be minimal. Tracks immediately adjacent to SRH are generally used for storage rather than for active commuter rail traffic. Even active trains move only slowly along this section of track as they enter and exit North Station. In addition, existing landscaping along this route will be reworked to buffer train activity and make this option visually attractive. Cross-sections of the proposed walkway, vegetation, and fence placement are shown in Figure 3-7. As shown in these sketches, there is sufficient space to plant shrubbery to serve as a buffer between the proposed walkway and train tracks, much the same as the planting that currently exists in this location. This option will require relocating the existing stockade fence, reworking landscaping and installing a walkway, all of which can be implemented at reasonable cost. Option 1 is also preferred because it will not impact the hospital's severely limited capacity for patient and outpatient parking.

Option 2

A second potential route for pedestrian access is shown in Figure 3-8. This access route begins like Option One, leading pedestrians along the SRH property line, but rather than continuing in a straight line toward the oxygen tank, Option 2 turns west back into the paved area of the site. The path then crosses the driveway to an existing sidewalk and landscaped area, crosses the drive again to a landscaped island, and then crosses the drive again before exiting the SRH site. The advantage of this option is that it keeps pedestrians away from the perceived impacts of train traffic. The major disadvantage is that pedestrians must cross areas of the SRH site used for car, truck, and ambulance access. Other disadvantages are the cost associated with widening an existing sidewalk, installing curb-cuts along the driveway, and installing sidewalks and curb-cuts in the landscaped area and island, which will require removal of two large trees and planting of new shrubbery. Because the landscaped island helps minimize the time pedestrians spend in the driveway, this option is acceptable to SRH and the various commenting agencies. However, it is not preferred by the BRA, Harborpark, and SRH.

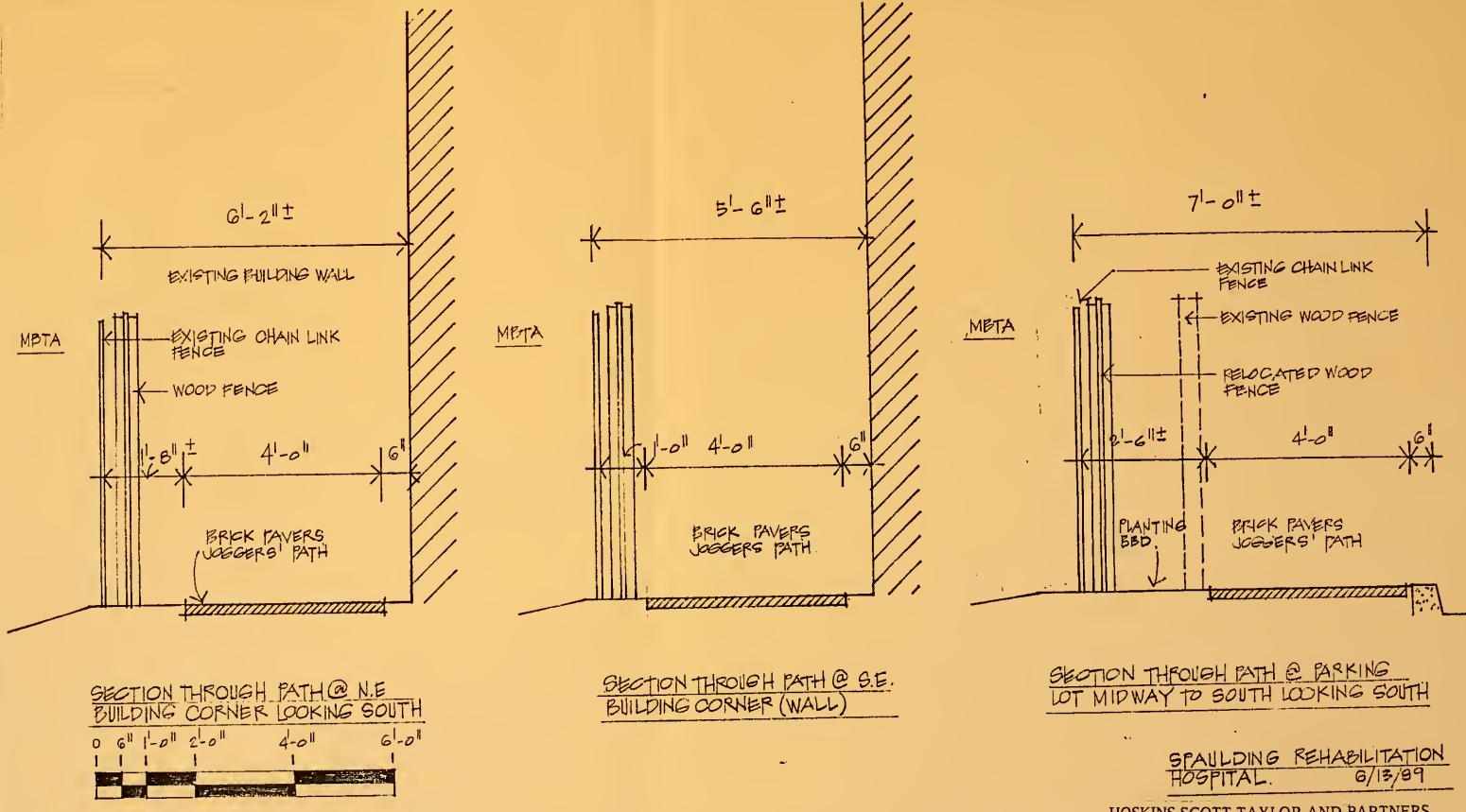


FIGURE 3-7
PEDESTRIAN ACCESS - OPTION 1
CROSS-SECTIONS OF LANDSCAPING DETAIL

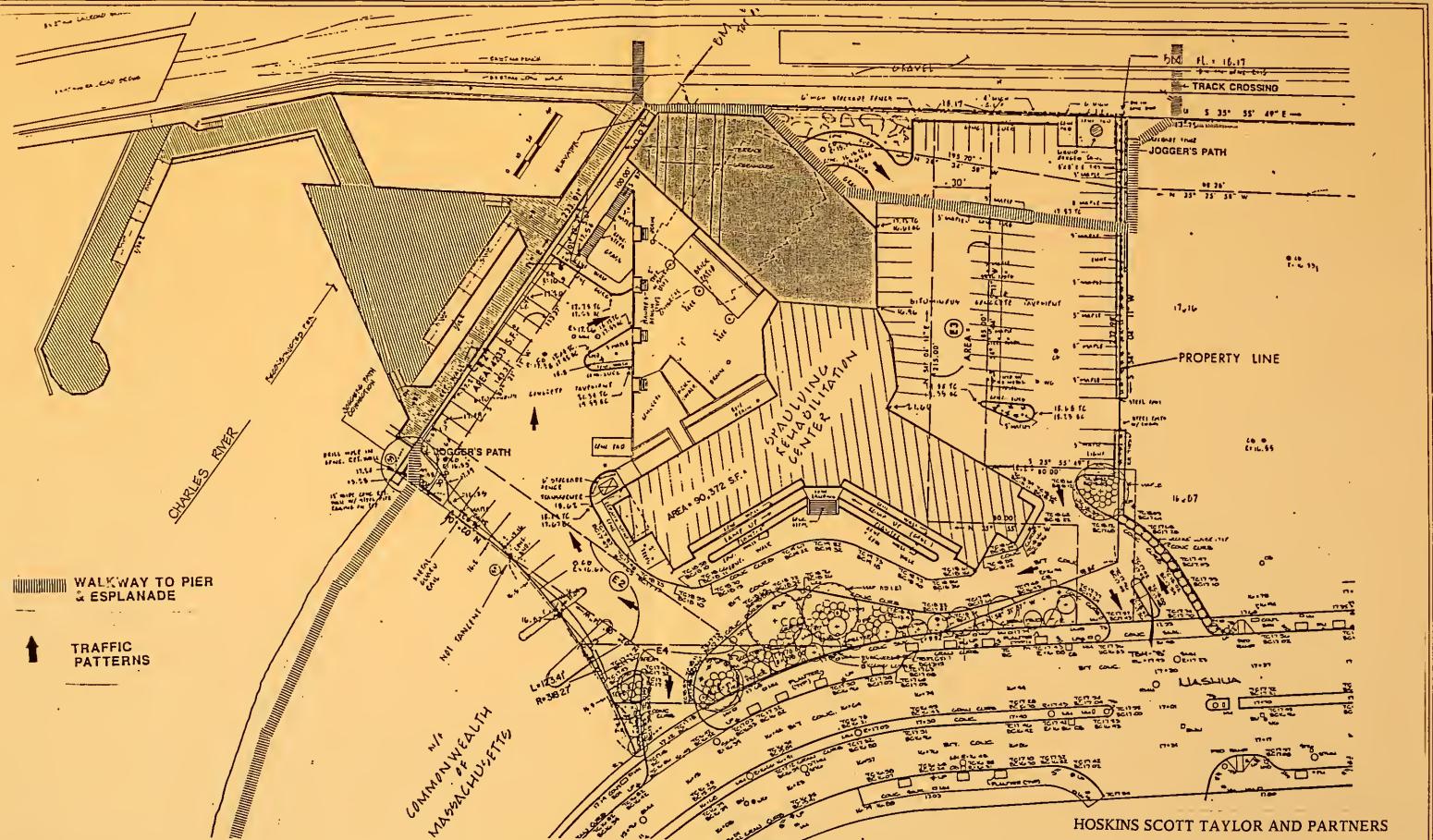


FIGURE 3-8
PEDESTRIAN ACCESS – OPTION 2

Link to MDC Esplanade Expansion

As requested by DEQE, the MDC, the BRA, Harborpark, and Charles River Watershed Association, SRH will dedicate a portion of its property, on the waterfront at the northwest corner, for pedestrian access. This land area will facilitate a future link between the MDC's planned expansion of the Esplanade and the existing riverfront walkway along the SRH site. The location and approximate dimensions of this linkage parcel are shown in Figures 3-5, 3-6, and 3-8. The exact treatment of this parcel (landscaping, boardwalk, etc.) will be determined at some future date as plans for the Esplanade expansion are finalized by the MDC.

Continuous Access Along the Water

If, as the BRA and Harborpark prefer, the planned location of the MBTA's cross-track access facility is moved closer to the water's edge, SRH will continue to agree, as it did in 1986, to allow an elevator and stairs to be constructed on a portion of its property adjacent to the east wing. This will facilitate the provision of barrier-free pedestrian access up to and over the narrowest area of the MBTA tracks and allow continuous pedestrian access along the water's edge.

3.6.2 Signage

Signage for the pedestrian walkway will be developed jointly by the MDC and Harborpark to ensure that it effectively links the MDC Esplanade to the west with Harborpark's "Walk to the Sea". SRH will allow signs to be installed on its property in locations recommended by these agencies, provided that they do not interfere with signage already emplaced for hospital activities.

3.6.3 Pavement Treatment

SRH prefers paint as the means to delineate any part of the pedestrian walkway that is to cross already paved surfaces. The major disadvantages to other pavement treatments are the magnitude of cost (\$20/square foot for brick), the disruption of driveway and sidewalk use, and the potential safety hazards involved in having SRH outpatients, many of whom rely on canes, crutches or walkers, ambulate on this irregular

surface. Despite the slight disadvantage of ongoing maintenance associated with paint, this treatment option is significantly less expensive and creates no safety problems for handicapped patients. It is also very visible and effective as is demonstrated by existing painted public walkways such as the Freedom Trail and Harborwalk. Paint also offers flexibility, an advantage in view of the fact that the exact site of the MBTA's potential cross-track pedestrian access is unknown at this time.

3.7 Construction Schedule and Costs

A construction schedule is included in Figure 3-9. Construction of the building addition will be put out for bids in September 1989. It is anticipated that construction will begin in October of 1989. The construction and associated renovations will proceed in two phases. Phase I, construction of the addition, will take approximately 15 months. Phase II, renovations to the existing building, will require approximately 7-1/2 months. The construction cost of the building addition is projected to be \$7.5 million.

Construction of the recreational pier will begin when building renovations are complete in 1991. SRH will make every effort to expedite the construction start for the pier and pedestrian walkway so that these amenities might be available to the general public during the 1991 summer season. However, the staggered pier and access construction schedule is necessary to avoid potential conflicts with staging needs for the building construction. A staggered construction schedule is also necessary to allow SRH personnel to effectively manage both construction projects.

The estimated construction cost of the recreational pier is \$1.2 million. SRH received an insurance settlement of \$800,000 for the trestle pier lost in the fire in 1984. These funds are being held in escrow and will pay for most of the construction costs for the pier. The remainder will come from SRH fund-raising efforts. SRH will work to secure these additional funds as quickly as is reasonable so as not to delay construction of the pier.

SPAULDING REHABILITATION HOSPITAL

PROJECTED CONSTRUCTION SCHEDULE

FIGURE 3-9
CONSTRUCTION SCHEDULE

**SECTION 4.0
DRAFT SECTION 61
FINDINGS**

4.0 DRAFT SECTION 61 FINDING

Section 61 of the Massachusetts Environmental Policy Act (MEPA) requires that all state agencies utilize all feasible means and measures to minimize impacts to the environment. Following Secretarial certification of MEPA compliance, agencies must make a "finding" of project impacts and assure that appropriate mitigation of those impacts will be accomplished. While it is the responsibility of each state agency to make this so-called "Section 61 Finding", the MEPA regulations state that a project proponent may be required to provide a Draft Section 61 Finding, to assist participating agencies in carrying out their separate Section 61 obligations

4.1 Chapter 91 Waterways License, DEQE, Division of Wetlands and Waterways Regulation (DWWR)

The following section presents a Draft Section 61 Finding for the consideration of DEQE in their review of this project for a Chapter 91 Waterways License.

The DWWR reviews all projects proposed within flowed and formerly flowed Commonwealth tidelands, Great Ponds, and certain rivers and streams. Its jurisdiction includes work proposed in areas of historically filled tidelands.

Work proposed in tidelands is reviewed to ensure that the rights of the public in these areas are maintained. For a nonwater-dependent use of formerly flowed Commonwealth and Private Tidelands, the standards of review for Chapter 91 authorization are as follows:

- o Does the proposed work provide a "proper public purpose"?
- o Does it provide a greater public benefit than detriment with respect to the public's rights in said tidelands?
- o Is the work consistent with Massachusetts Coastal Zone Management (MCZM) policies?

4.1.1 Types of Tidelands

Research of the Chapter 91 Waterways licensing records on file at DEQE show that the upland portion of the SRH project site is located in an area of formerly flowed tidelands of the Charles River. These natural tidelands were filled solid under authorizaton of Waterways License No. 1177-A, which was issued to the Boston and Maine Railroad on August 26, 1930 by the Massachusetts Department of Public Works.

Careful examination of the plans accompanying license No. 1177-A shows that the majority of the SRH site appears to be located in an area of filled Commonwealth Tidelands. However, the easterly side of the site falls within an area of filled private tidelands. The proposed pier is located entirely within flowed Commonwealth Tidelands of the Charles River.

4.1.2 Proposed Uses in Tidelands

Tideland uses proposed as part of this project are:

- o A 40,000-square foot vertical building addition, to be built on top of the hospital's existing east wing to provide space for existing rehabilitation health care facilities and services.
- o A 7,000-square foot therapeutic/recreational pier that is 100% barrier free for the handicapped and fully accessible to the public.
- o An observation promontory to encourage public use of the waterfront from both the land and the water.
- o Small boat landing for transient docking.
- o A pedestrian walkway to connect the recreational pier and existing riverfront walks to the MDC's planned expansion of the Esplanade to the west of the site and the MBTA's planned provision of cross-track access to points downriver.

4.1.3 Proper Public Purpose Analysis

Chapter 91, Section 14 requires that no structures or fill may be licensed on Commonwealth tidelands unless these structures or fill serve a proper public purpose and that this purpose provides greater public benefits than detriment to the rights of the public in tidelands. Furthermore, any nonwater-dependent use of tidelands must also meet those statutory standards as well as be consistent with the applicable policies of the Massachusetts Coastal Zone Management Program. DEQE considers the proposed building addition a non-water dependent use of tidelands.

Special Statutes

The filled tideland area in which the SRH property is located has been subject to two special Legislative Acts during the site's recent history. The first of these was passed in 1962 and the second in 1980; both were specifically related to the disposition of the Commonwealth's right, title and interest in these filled tidelands. Chapter 691 of the Acts of 1962 was passed by the legislative to ensure that the licensing of certain portions of structures and fill authorized under Waterways License No. 1177-A, including what is now the SRH site, be made irrevocable by the State.

Chapter 341 of the Acts of 1980, the more influential of the two special statutes, released and transferred the rights of the Commonwealth, including its "public trust" interest in tidelands protected under Chapter 91, within certain premises presently used and occupied by the Massachusetts Rehabilitation Hospital (now Spaulding Rehabilitation Hospital). Furthermore, this statute declared that the hospital's use of these tidelands "was organized for, and presently serves, the most valuable proper public purpose providing for the health of the people of the Commonwealth."

Proper Public Purpose/Public Benefits

The proposed project meets the Chapter 91 proper public purpose standard. Since the proposed building addition will specifically enhance the hospital's existing health care facilities and services, this has already been determined by law through Chapter 341 of the Acts of 1980.

Furthermore, additional public benefits are provided by the recreational pier and pedestrian walkway. These include:

- o Use of waterfront and pier by general public, especially handicapped;
- o Use of transient docking area by boating public;
- o Integration of pier and walkways with MDC parkland; and
- o Link in plan for continuous public access along the Charles River to the harbor.

The pedestrian walkway and observation promontory are specifically designed to encourage and enhance public use. Signage, landscaping, flags and lighting will further enhance the public appeal of this recreational facility.

4.1.4 Coastal Zone Management Consistency

Although the proposed pier and SRH site are not located within the defined Coastal Zone Boundary of Massachusetts, the project has been designed and will be implemented in a manner consistent with the applicable policies of the Massachusetts Coastal Zone Management Program.

4.1.5 Conclusions

The public benefits to be provided by the proposed project will certainly exceed any perceived public detriments of a hospital facility located in filled tidelands, particularly in light of the fact that Chapter 341 already finds that the hospital use serves the most valuable proper public purpose. The proposed waterfront access and water-dependent use facilities serve a proper public purpose beyond that provided by the hospital's health care services for the public. The proposed public pedestrian walkway through the site meets the MDC's and BRA Harborpark's long-term objective to provide continuous public access along this area of the Charles River Esplanade to the harbor. The pile-supported recreational pier provides unique barrier-free access for handicapped patients and the public and offers water-dependent opportunities for fishing and boating.

The provision of these facilities, as well the hospital's commitment of property to link the pier with adjacent parcels planned for future pedestrian access, clearly substantiates that the proposed project's public benefits will exceed public detriments to any perceived residual public rights in these tidelands. The project meets the primary statutory standard for any use of Commonwealth tidelands.

**SECTION 5.0
RESPONSES TO COMMENTS
ON THE DRAFT EIR**

5.0 RESPONSES TO COMMENTS ON THE DRAFT EIR

Five sets of comments are required to be addressed in this Final EIR. These comments were submitted by:

- 1) The Executive Office of Environmental Affairs
- 2) The Department of Environmental Quality Engineering
- 3) The Charles River Watershed Association
- 4) The Boston Environment Department
- 5) The Metropolitan District Commission

The final EIR will also address comments submitted by:

- 6) The Boston Redevelopment Authority

Copies of the comment letters are included in this section of the Final EIR. Each letter has been assigned a number, as indicated above. In addition, comments within each letter are identified by sub-section numbers, located in the left margin of each page. Detailed responses follow each of the letters. The sub-section numbers are used to reference specific comments.

5.1 Response to Comments from the Executive Office of Environmental Affairs

Comment from: John P. DeVillars, Secretary

Dated: May 22, 1989

Letter #1

Comment #1.01 – Scope of Final EIR

This Final EIR provides the information requested in the collective comments of DEQE, CRWA, the Boston Environment Department, and MDC regarding access, pier design, and construction scheduling.

Comment #1.02 – Single Alternative

Section 3.0, Description of Recreational Pier and Public Access, provides a single pier alternative acceptable to all agencies. This alternative was developed through agency consultation subsequent to the issuance of the Secretary's Certificate on the Draft EIR.

A pedestrian access alternative acceptable to all agencies is also presented, as well as an alternative requested by the BRA and Harborpark. These alternatives were developed through agency consultation subsequent to the issuance of the Secretary's Certificate on the Draft EIR.

Comment #1.03 – Draft Section 61 Finding

Draft Section 61 Findings, have been prepared to summarize the mitigative elements of the project relating to Chapter 91 licensing issues. These findings are presented in Section 4.0.



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

MICHAEL S DUKAKIS
GOVERNOR

1

JOHN DEVILLARS
SECRETARY

May 22, 1989

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
DRAFT ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Spaulding Rehabilitation Hospital
PROJECT LOCATION : 125 Nashua Street, Boston
EOEA NUMBER : 7317
PROJECT PROPONENT : Spaulding Rehabilitation Hospital Corp.
DATE NOTICED IN MONITOR : April 13, 1989

The Secretary of Environmental Affairs herein issues a statement that the Draft Environmental Impact Report submitted on the above project adequately and properly complies with the Massachusetts Environmental Policy Act (G.L., c.30, s.61-62H) and with its implementing regulations (301 CMR 11.00).

I find the Draft Environmental Impact Report (DEIR), in general, to be a well written document, which, despite the many disclaimers for jurisdiction under MGL Ch. 91, is very responsive to the issues which were included in the Scope.

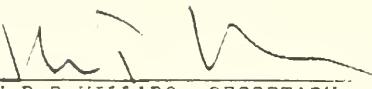
The comments from the Department of Environmental Quality Engineering (DEQE), the Charles River Watershed Association (CRWA), Boston Environment Department, and the Metropolitan District Commission (MDC), collectively convey the information which is needed in the Final EIR regarding access, pier design and construction scheduling. The FEIR must depict a single alternative which is acceptable to all agencies, so additional consultation should occur prior to submitting the document.
Lastly, the FEIR must include a draft Section 61 Finding, which summarizes the mitigative elements of the project relating to the Chapter 91 licensing issues.

01
02
03

May 22, 1989

May 22, 1989

DATE


JOHN P. DEVILLARS, SECRETARY

Comments received:

DEQE DWWR 5/15/89
Boston Environment Department 5/15/89
Charles River Watershed Association 4/13/89
MDC 5/15/89
MAPC 5/11/89
Boston Redevelopment Authority 5/17/89

JD/JW/jiw

5.2 Response to Comments from the Department of Environmental Quality Engineering

Comment from: Gary Clayton, Director, DWWR

Dated: May 15, 1989

Letter #2

Comment #2.01 – Public Access

Although all parties have agreed in general to the pedestrian walkway described as Option 2 in Section 3.6 of this Final EIR, the BRA and Harborpark strongly prefer the route described as Option 1, and have asked for a detailed analysis of this option in the Final EIR. This discussion appears in Section 3.6 with cross-section sketches showing proposed landscaping and walkway dimensions. SRH prefers Option 1 because it assures public safety by keeping pedestrians out of vehicle traffic. It is also the most direct route to the North Station area. DEQE and the MDC have agreed to re-evaluate this option based on the additional information SRH and the architects have provided.

Comment #2.02 – Recreational Pier Design

A recreational pier design, based on Scheme J, is described in detail in Section 3.5 of the Final EIR (Scheme J was a preliminary drawing of the pier prepared by Hoskins Scott Taylor and Partners, Inc.). The currently proposed design (a 7,000 square foot triangle plus walkway and promontory) represents a consensus on the size, shape and location of the pier as approved by all interested agencies through the design development process described in Section 3.3. Additional design details related to the promontory, railings, stair and ramp placement, benches, planters, lighting, and signage will be finalized in continuing discussions prior to the issuance of a Chapter 91 Waterways License.

Comment #2.03 – Transient Boat Dockage and Fishing

Uses of the proposed recreational pier have been expanded to include transient docking for canoes and other small boats. This landing will be provided along the 3.5-foot walkway to the promontory, as shown in Figure 3-5. This will maintain the western edge of the pier for fishing and viewing. Ladders will be provided to facilitate boater access to

the walkway. Boat docking is not feasible along the promontory due to the 6-foot height of this structure. SRH will continue to work with various interested agencies to finalize design details of the boat landing area.

No long-term or overnight dockage will be allowed. Policing of the boat landing will be shared by SRH and the MDC. Rules and regulations for public use of the boat landing will be developed by SRH with the appropriate agencies from time to time. These rules and regulations of use will be clearly posted.

Before the fire in 1984, SRH patients regularly fished off of the trestle bridge pier. The hospital will continue to provide fishing access for both patients and the public from the proposed pier. To ensure public safety, this activity will be subject to reasonable rules and regulations of this use as established by SRH from time to time.

Comment #2.04 – MDC – MBTA –SRH Agreement

The draft agreement between the MBTA, MDC, and Spaulding Rehabilitation Hospital regarding the pedestrian walkways and pier continues to be reviewed by representatives of each agency. SRH expects to finalize the agreement by the end of August 1989 so that it can be included in the Chapter 91 Waterways License. This agreement will include a provision for the MBTA to lease the piles, fender piling, and abutments of the southwest trestle to the hospital for a period of 99 years.

Comment #2.05 – Construction Timeline

SRH will make every effort to expedite the construction start for the recreational pier and accessway so that these amenities might be available to the general public during the 1991 summer season. Acceleration of the construction schedule may be difficult, however, for the following reasons:

- 1) Construction Supervision – SRH has limited in-house resources to supervise construction projects. Supervision and coordination of the building renovations will require a substantial time commitment due to the phasing of the renovations and the many department moves that will need to occur. Coordination of the renovations, in conjunction with the final punch list and occupancy of the new construction, will require considerable direction by the

hospital administration. The bidding, contract negotiation, and implementation of a second major construction project may not be realistic during this same timeframe.

- 2) Construction Staging – All construction equipment and materials for these projects will be staged on-site. SRH must stagger construction in a way that avoids potential conflicts in this planned use of space on the site.



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs
Department of Environmental Quality Engineering
Division of Wetlands and Waterways Regulation

One Winter Street, Boston, Mass. 02108

iel S. Greenbaum
Commissioner

Jar. R. Clayton
Director

2

TO: Steve Davis, Director, MEPA Unit
FROM: Gary Clayton, Director, DWWR
DATE: May 15, 1989
RE: EOEA #7317, Spaulding Rehabilitation Hospital
Charles River, Boston

The DEQE Waterways Regulation Program has reviewed the Draft Environmental Impact Report (DEIR), noticed in the Environmental Monitor on April 27, 1989, and the Ch. 91 Waterways license application for the referenced project. While we have no objections to the building addition as proposed, the proponent, their representatives, MDC, BRA, MBTA, and the Department have had several meetings to resolve the public pedestrian access route and the design of the recreational pier since submittal of the DEIR. The results of these meetings as well as other unresolved issues are presented below.

01 Public Access - It is our understanding that all parties involved have agreed to the general public walkway described as Options 4 and 9 in the DEIR. The type of walkway delineation has yet to be resolved, but the Department would recommend a paving treatment (Option 5) which could be constructed as a reasonably smooth surface, such as brick pavers.

02 Recreational Pier - The recreational pier design preferred by the Department is not the 15,000 s.f. triangular shape described in the DEIR, but a hybrid of "Scheme J" currently being developed by the proponent's architect. As a result of the ongoing meetings described above, the pier design has evolved to meet those criteria established by the Hospital, BRA, MDC, MBTA, the Department, and the Charles River Watershed Association. The proponent has worked cooperatively with the reviewing agencies and the Department believes a pier design will be agreed upon shortly to ensure that the pier could be licensed at the same time as the proposed building addition.

03 As suggested by the Department, the proponent has agreed to expand the uses of the pier to include transient boat dockage and fishing as well as the stated patient therapeutic and public passive recreational uses described in the DEIR.

04 We have received a draft Maintenance Agreement, dated September 14, 1988, between the MBTA, MDC, and Spaulding Rehabilitation Hospital regarding the ownership and future maintenance of the Hospital's existing piles in the Charles River and the walkways along the site's

seawall and the adjacent railroad trestle bridge. What is the current status of this agreement? Will this agreement be signed before September, 1989 so it may be included in the Ch. 91 Waterways license? When will the piles, which appear to be owned currently by the MBTA, be conveyed to the Hospital?

Construction Timeline - In Figure 3.8-1, "Construction Schedule", the proponent states their intended timeline for construction of the proposed building addition is from November, 1989 to February, 1991 and for renovation of the interior of the hospital from February 1991 to mid September, 1991. In addition, the onsite public amenities are proposed to be constructed by the time the interior renovations are nearly complete. More specifically, the pier construction is proposed from July - October, 1991 and the public accessway in October of 1991. The Department typically authorizes nonwater-dependent use projects on the condition that the public amenities be constructed during the first phase of construction often stating that the amenities be open to the public by the time the occupancy permit has been obtained from the local Inspectional Services Department. The Hospital has made a convincing argument as to the pressing need for the proposed addition and we do not intend to interfere with its construction. However, the proponent should seriously consider completing construction of the recreational pier and accessway by the end of May, 1991 so these structures will be available for use by the patients and the general public during the 1991 summer season. We do not believe accelerating the construction schedule of the public amenities will interfere with the Hospital's intended interior renovations because these phases of the project would most likely be subcontracted to different construction companies.

In summary, the Department believes the proponent has been and will continue to work cooperatively with the state and local agencies to prepare a well designed project that can be authorized within the the proponent's construction schedule.

GR/C/ADL/al

cc: Carl Dierker, DEQE
Julia O'Brien, MDC
Larry Koff, BRA
Jane Chimielski, MBTA
J. Limon, CRWA
Susan Glasser, Spaulding Rehab. Hospital
Liz Cowell, HMM Assoc.
Waterways File No. 89-071N

5.3 Response to Comments from the Charles River Watershed Association

Comment from: Jodie A. Limon, Environmental Assistant

Dated: May 18, 1989

Letter #3

The Charles River Watershed Association (CRWA) submitted two comment letters to MEPA. While the first of these expressed extensive concerns about pier and access design, the second indicated that most of these concerns were resolved in subsequent design development meetings. These meetings are outlined in detail in Section 3.0. This response addresses the CRWA's outstanding concerns as presented in the both comment letters.

Comment #3.01 - "Scheme J"

The pier design proposed in the Final EIR is based on Scheme J. (Scheme J was a preliminary drawing of the pier prepared by Hoskins Scott Taylor and Partners, Inc.) Like Scheme J, the proposed design down-scales the main deck of the pier. The main triangle of the proposed structure is approximately 7,000 square feet, less than half of the 15,000 square feet originally proposed in the Draft EIR. The proposed design also incorporates open water on all sides to create a water-related experience for pedestrian users. The Charles River Watershed Association has reviewed the proposed design and finds it acceptable, being the same in concept as Scheme J.

Comment #3.02 - Water-Dependent Uses

As described in Section 3.0, uses of the proposed pier have been expanded to include fishing access for both patients and the public. To ensure public safety, this activity will be subject to reasonable rules and regulations of this use as established by SRH from time to time.

The pier will also provide a boat landing area for transient use by canoes and other small vessels. This landing will be provided along the 3.5-foot walkway to the promontory, as shown in Figure 3-5. This will maintain the western edge of the pier for fishing and viewing. Ladders will be provided along the boat landing to facilitate boater

access to the walkway. Boat docking is not feasible along the promontory due to the 6-foot height of this structure. SRH will continue to work with various interested agencies to finalize design details if the boat landing area.

No long-term or overnight dockage will be allowed. Policing of the boat landing will be shared by SRH and the MDC. Rules and regulations for public use of the boat landing will be developed by SRH with the appropriate agencies from time to time. These rules and regulations of use will be clearly posted.

Comment #3.03 – Public Uses

SRH has expanded the proposed uses of the pier, at the request of various agencies to include water-dependent fishing access and transient boat dockage. The size of the pier has also been scaled down to reduce perceived encroachment on open water uses of the river.

Comment #3.04 – Aesthetics

As described in Section 3.5, the proposed pier has been substantially redesigned as a result of an extensive cooperative interagency effort. Although a floating dock was considered in these discussions, it was found to be impractical and potentially unsafe for handicapped users. The proposed pier design, a substantially reduced version, represents agency consensus on size, shape, and location of the structure.

Comment #3.05 – Surrounding Area

SRH worked with the MDC, BRA, DEQE, MBTA, and Harborpark to develop a pier design that would "fit in" with the hospital's location on the Charles River and adequately serve the recreational/therapeutic needs of SRH patients and the general public. The proposed pier is much smaller than the optimum size preferred by SRH to accommodate patient recreation and therapy needs and use by the general public. The structure was scaled back in response to agency comments to ensure compatibility with the surrounding area.

Comment #3.06 – Construction Issues

The existing timber piles are arranged in rows parallel to each other and to the flow of the river. Observation of the water movement around these piles indicates that they do not impede the flow of the river or trap debris.

The proposed pier has been engineered to support a substantial crowd of people but is not designed to bear the weight of vehicles or buildings. As a result, fewer piles will be needed per square foot of pier to support the weight of pedestrians than were needed to support the former train trestle. The proposed new piles will be similarly arranged, in parallel lines, and more widely spaced. They should not impact the flow of the river or trap debris.

Comment #3.07 – Vertical Addition

The color of the proposed building addition was recommended by the BRA after a series of design development discussions in 1986. The light colored exterior treatment was selected to reduce the potential impacts of the added building mass at the waterfront. This light color also matches the limestone bonds in the main building. SRH's choices for exterior treatment are limited due to weight considerations. The exterior surface must be a panel system; brick could not be considered because of its excessive weight. A stepped back design, terraces and varied window configurations will provide interesting exterior details. These exterior features were described in detail in the Draft EIR.



Charles River Watershed Association

May 18, 1989

Mr. Steven Davis
Executive Office of Environmental Affairs
MEPA Unit
100 Cambridge Street
Boston, Massachusetts 02202

Dear Mr. Davis:

The Charles River Watershed Association recently reviewed the Draft Environmental Impact Report for the Spaulding Rehabilitation Hospital vertical addition and recreational pier (EOEA #7317), noticed in the Environmental Monitor on April 27, 1989. In our comment letter, we expressed several concerns about the size and design of the proposed pier.

Since that time, the Watershed Association has met with representatives from the Spaulding Rehabilitation Hospital, the Boston Redevelopment Authority, and the Metropolitan District Commission to discuss alternative designs that will serve Spaulding's patients, the public using the MDC Esplanade, and the Charles River Basin.

- .01** The Watershed Association has approved the concept of "Scheme J", a preliminary drawing presented by Spaulding's architects. This alternative will downscale the structure to half of the originally proposed 15,000 square feet and incorporate open water to enhance a water related experience for pedestrians. The Watershed Association is also pleased that the purpose of the pier will be expanded to include water dependent uses such as fishing access and docking of boats.

.02 The Watershed Association has enjoyed working cooperatively with the Spaulding Rehabilitation Hospital and state agencies to improve this stretch of the Charles. We look forward to reviewing the new pier design as the details are developed by the architects.

Sincerely,
Jodie A. Limon
Jodie Ann Limon
Environmental Assistant

cc: Larry Koff
Dr. Manuel Lipson
Julia O'Brien

2904/3145E

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April 13, 1989

Secretary John DeVillars
Executive Office of Environmental Affairs
100 Cambridge Street - 20th Floor
Boston, Massachusetts 02202

ATTN: MEPA Unit

RE: EOEA #7317 Spaulding Rehabilitation Hospital Draft EIR

Dear Secretary DeVillars:

The Charles River Watershed Association has reviewed the Draft Environmental Impact Report for the Spaulding Rehabilitation Hospital's proposed vertical addition and recreational pier and has the following comments:

The Charles River Watershed Association did not approve the conceptual design of the 15,000 square foot recreational pier. The Draft EIR is the first document reviewed by the Association that delineates the full extent of the proposed pier. CRWA has several concerns about the size of this structure.

1. Public Uses

While the proposed pier enhances one form of public recreation, it displaces other open water uses such as boating. The deck serves as an extension of the land over the river. The recreational activities that will take place on the pier represent traditional bank uses more than water-dependent uses.

The Watershed Association would like to see the Spaulding Rehabilitation Hospital explore other alternatives that support important patient and public recreation but reduce encroachment on open water uses.

2. Aesthetics

While the Watershed Association concurs in theory with the construction of some type of landing, we are not pleased with the design presented in the Draft EIR. The size of the deck is excessive.

3.04 As an expansive overhang of the river, the pile-supported structure offers the visitor a land based experience rather than a water experience that takes advantage of the qualities of the river. Is a floating dock a possible alternative?

The 15,000 square foot deck is a potentially wide and

unfriendly space. A scaled down pier may be a smaller and more inviting space.

3. Surrounding Area

.05 The Charles River Basin beyond the Museum of Science is a natural resource that has historically absorbed a lot of impacts from development. This trend will continue in the future as the Central Artery, the North Station projects, and Cambridge redevelopment each take their toll on this narrow portion of the river.

It is crucial that each project is designed in a way that is sensitive to the surrounding area. Spaulding certainly faces a challenge in creating a pier that is sympathetic to its location and fits in with the riverbank, yet adequately serves patients and public.

While Spaulding presents several reasons to justify the size of the project, similar justification could be used to build other structures along the river. Such piecemeal encroachments could lead to major cumulative changes in the river.

Though the proposed deck may appear to be a useful public structure when evaluated individually, it may not necessarily be in the overall public interest or the river's best interest.

4. Construction Issues

.06 Pilings that are spaced as far apart as possible and oriented parallel to each other and to the direction of flow tend to minimize the collection of debris and allow the river to pass unhindered. What is the arrangement of the existing pilings?

Should the pile-supported deck become the selected alternative, it should not be constructed with the ability to support a building. This will help assure against future air rights development by Spaulding or future owners of the property.

5. Vertical Addition

.07 The Watershed Association was pleased to see the step-back design of the planned vertical addition. We are also very interested in the facade material for this project and the existing addition. The present material is unattractive and should be made to blend in with the rest of the building and the in terms of texture and color. Spaulding might also consider an increase in fenestration.

The Charles River Watershed Association hopes that the

Spaulding Rehabilitation Hospital will continue to study alternative pier designs. The ideal plan will be compatible with both the hospital's patient needs and its riverfront setting.

Should the hospital's future needs call for increased units, CRWA does not think additional expansion toward the river is appropriate. The hospital may have outgrown its present location and require more spacious facilities.

Thank you for the opportunity to comment on this Draft Environmental Impact Report. The Watershed Association looks forward ~~to~~ the Final EIR.

Sincerely,

Jodie Ann Limon

Jodie Ann Limon
Environmental Assistant

5.4 Response to Comments from the Boston Environment Department

Comments from: Lorraine M. Downey, Director

Dated: May 15, 1989

Letter #4

Comment #4.01 – Signage

Signage for the proposed project will be developed jointly by the MDC and Harborpark. This signage will be designed to assure that the pier and pedestrian walkways are an effective link in the continuous pedestrian access planned along the Charles River to the harbor. The signage will also clearly indicate that the pier and walkways are open for use by the general public.

Comment #4.02 – Amenities

SRH will provide benches, seasonal planters, flags, and lighting as described in Section 3.5. The details of these amenities will be finalized in continuing discussions prior to issuance of a Chapter 91 License.

Comment #4.03 – Hours of Public Use

SRH will work with the MDC, DEQE, and other interested agencies to develop guidelines for usage of the recreational pier and boat landing. It is anticipated that the general public shall have access to and use of the pier during the day and early evening, subject to reasonable rules and regulations as established by SRH from time to time. Public use of the pier 24 hours a day would be impractical due to SRH concerns for public safety and hospital security. Although the pier will be lighted, transient boat use will be allowed only during daylight hours to ensure boater safety. Overnight dockage will be prohibited.

Comment #4.04 – Boat Landing

Uses of the proposed recreational pier have been expanded to include transient docking for canoes and other small boats. This landing will be provided along the 3.5-foot walkway to the promontory, as shown in Figure 3-5. This will maintain the western edge

of the pier for fishing and viewing. Ladders will be provided to facilitate boater access to the walkway. Boat docking is not feasible along the promontory due to the 6-foot height of this structure. This provision of docking space will allow boats to drop off and pick up passengers at the pier. No long-term or overnight dockage will be allowed. SRH will continue to work with various interested agencies to finalize design details if the boat landing area.

Policing of the boat landing will be shared by SRH and the MDC. Rules and regulations for public use of the boat landing will be developed by SRH with the appropriate agencies from time to time, and posted.



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May 15, 1989

**City of Boston
Environment
Department**

Boston City Hall Room 805
Boston, Massachusetts 02201
617-254-4116 or 725-3850

Mr. John DeVillars, Secretary
Executive Office of Environmental Affairs
100 Cambridge Street, 20th Fl.
Boston, MA. 02202

ATTN: MEPA Unit, Jacki Wilkens, EOEA #7317, Draft
Environmental Impact Report for the Addition to
Spaulding Rehabilitation Hospital.

Dear Secretary DeVillars:

The City of Boston Environment Department has reviewed the Draft Environmental Impact Report for the addition to the Spaulding Rehabilitation Hospital and would like to submit the following comments:

4.01

1. We are pleased to see the new pier design. It accomplishes the goals of the hospital while covering less of the water and improving public access.
2. Critical factors in making the pier accessible to the public is signage and the creation of an inviting entrance to the pier. This is especially true since the area will become a link in the MDC's continuous waterfront walkway. Amenities should include benches and appropriate lighting. Public access should be maintained 24 hours per day. These issues should be developed further in the Final EIR.
3. Another way to make the pier more accessible to the public would be to allow boats to drop off and pick up passengers at the pier. We would like to see this option explored in the Final EIR.

4.02

4.03

4.04

We appreciate the opportunity to comment and look forward to reviewing the Final Environmental Impact Report.

Sincerely,

L.M. Downey, Director
The Environment Department

5.5 Response to Comments from the Metropolitan District Commission

Comments from: M. Ilyas Bhatti, Commissioner

Dated: May 15, 1989

Letter #5

Comment #5.01 – Further Discussion on Final Design of Pier

Further discussion on the final design of the pier has taken place as described in Section 3.3. The pier design proposed in Section 3.5 represents a consensus on pier size, shape, and location. The MDC Commission has given this design its preliminary approval. This correspondence is included in Appendix A.

Comment #5.02 – Drawings

Perspective and plan drawings of the proposed pier have been prepared by HST and Partners architects with Childs Engineering. These are shown in Figures 3-3 and 3-4.

Comment #5.03 – Further Discussion on Final Design of Pedestrian Access

Further discussion on the final design of pedestrian access has taken place as described in Section 3.3. Two options for access are currently under consideration. These are described in detail in Section 3.6.

Comment #5.04 – Boundary Delineation of MDC Connection

The boundary delineation for the proposed MDC connection is discussed in Section 3.6. The location and approximate dimensions of this area are shown in Figures 3-6 and 3-8. The exact dimensions will be finalized in continuing discussions prior to the issuance of a Chapter 91 Waterways License. Designated areas of public use and access on the SRH site will be maintained by SRH under the terms and conditions of the Chapter 91 Waterways License and will not be in the form of a dedicated legal easement.



The Commonwealth of Massachusetts
Metropolitan District Commission
M. Ilyas Bhatti, Commissioner

20 Somerset Street
Boston, MA 02108
617-727-5114

May 15, 1989

5

Steven C. Davis, Asst. Secretary
Executive Office of Environmental Affairs
MEPA Unit
100 Cambridge St., Rm. 2000
Boston, MA 02202

RE: Spaulding Hospital DEIR. EOEA 7317

Dear Mr. Davis:

Steve

The Metropolitan District Commission is pleased to have this opportunity to comment on the above-referenced Draft Environmental Impact Report (DEIR).

This project consists of a vertical addition of 40,000 sq.ft. as well as a 15,000 sq.ft. pile-supported recreational pier over the Charles River. The pier will be open to the public and to Spaulding patients and visitors.

The Final Environmental Impact Report should address the following issues:

Design

There needs to be further discussion between the MDC, DEQE, and hospital officials concerning final design of the pier as agreed to by all parties. The proponent should provide necessary drawings.

The final design of the pedestrian access from the river to the Massachusetts General Hospital parking lot on Nashua Street should also be discussed.

Boundary Delineation

The final boundary of the easement connecting the MDC Nashua Street Park to the wooden walkway above the river, needs to be delineated.

Thank you for the opportunity to comment.

Sincerely yours,

Jay
M. ILYAS BHATTI
Commissioner

IB/KH/DQ

cc: K. Haglund; A. Langhauser

MetroParks

MetroParkways

2904/3145E



5.6 Response to Comments from the Boston Redevelopment Authority

Comments from: Paul Reavis, Assistant Director for Engineering and Design Services

Dated: May 17, 1989

Letter #6

Comment #6.01 – Provide Docking on Promontory vs. Along Main Pier

Docking for small boats will be provided along the 3.5-foot walkway to the promontory, rather than along the main pier. This will maintain the western edge of the pier for fishing and viewing. Boat docking is not feasible along the promontory due to the 6-foot height of this structure. Ladders will be provided along the boat landing area to facilitate boater access to the 3.5 foot walkway. SRH will continue to work with various interested agencies to finalize design details if the boat landing area.

Comment #6.02 – Landscaping

SRH has introduced some landscaping along the existing riverfront boardwalk through the use of planters. Introducing a strip of landscaping between the boardwalk and parking area, while appealing, is not possible over the short-term due to the space needed to accommodate both outpatient and visitor parking and truck access to the hospital's receiving dock in this area. Over the longer term, when replacement parking becomes available, SRH plans to add more extensive landscaping to this riverfront area. In the interim, the hospital will explore opportunities to increase the number of planters to soften the impact of adjacent parking.

Comment #6.03 – Alternative Pedestrian Access Design

SRH has explored the pedestrian walkway suggested by the BRA and agrees that it is the most direct, safe, and pleasant route to the North Station area. The advantages of this alternative, described as Option 1 in this Final EIR, are discussed and illustrated in detail in Section 3.6.

Comment #6.04 – Clarification of Additional Vehicle Trips

As the BRA has correctly indicated, the number of additional vehicle trips given on page 4-38 of the Draft EIR is a daily, not hourly, total.

BOSTON
REDEVELOPMENT
AUTHORITY

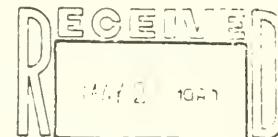
Vernon L. Flynn

Stephen Coyle

100 HANOVER
STREET
BOSTON, MASSACHUSETTS
02111

6

5.17.89



Secretary John P. DeVillars
Executive Office of Environmental Affairs
100 Cambridge Street
Boston, Massachusetts 02202

H. NEWMAN

ATTN: MEPA Unit

RE: EOEA #7317: Spaulding Rehabilitation Hospital
Draft Environmental Impact Report

Dear Secretary DeVillars:

Pursuant to regulations implementing M.G.L., Chapter 30, Sections 62-62H, the Boston Redevelopment Authority has reviewed the above-referenced Environmental Impact Report and submits the following comments:

The proposed project involves the construction of a 40,000 square foot addition on top of an existing four-story wing of the Spaulding Rehabilitation Hospital (SRH) in the North Station area of Boston, to provide urgently-needed space for presently overcrowded health care service facilities. In addition, the hospital proposes to construct a 15,000 square foot pile-supported recreational pier over the Charles River to replace partially recreational space lost in a 1984 fire. The hospital also will provide and maintain a pedestrian walkway to link the pier with adjacent proposed parkland. The design of the building addition and the recreational pier, as proposed in the DEIR, is the result of extensive meetings and review by the Boston Redevelopment Authority, as well as by the Metropolitan District Commission (MDC) and the Massachusetts Bay Transportation Authority (MBTA).

In general, we find that the Impact Report has provided a comprehensive examination of the potential impacts of the project in accordance with the scope issued by the Secretary. The project should not result in any significant adverse impacts. We believe that the mitigation measures described in the Report, if followed, would minimize any impacts during the construction period on adjacent land uses, traffic, water quality, and especially the hospital's patients. We support the intention to use a vibratory method of setting the piles in order to minimize potential noise impacts.

A significant aspect of the project is the public access component. The project provides for essential recreational open space at the site as well as important potential connections to the Harborwalk system both on the east side to North Station and on the west side to the Charles River Esplanade. The proposed pier and promontory will provide a unique and much needed waterfront recreational opportunity not only for the hospital's patients but also for the larger disabled community and the general public. The promontory in particular is a novel part of the proposal and provides a vantage point from which to view the Charles River Basin. Once the extension to the Esplanade is completed on the west side and is connected to the existing boardwalk at the project site, this open space will become a focal point for Harborwalk users along the Charles River. The DEIR plan proposes a three-level deck. However, as a result of further review with the Hospital, all parties now agree on a one-level concept design for the recreational deck.

.01 The recreational pier could provide additional opportunity for much needed transient boat docking, thereby promoting land and water connections. We encourage the provision of these docking opportunities along the promontory rather than along the western edge of the main pier in order to maintain that area for fishing and viewing.

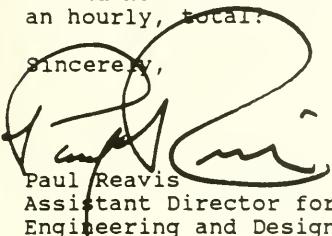
.02 We support the proposal to facilitate a future link between the MDC's planned extension of the Esplanade and the existing SRH boardwalk on the north-west corner of the site through the dedication of a portion of the SRH property for the connection. This connection makes an important contribution to the Authority's efforts in providing a continuous Harborwalk system along Boston's waterfront. In addition, we recommend that landscaping be provided between the parking area and the SRH boardwalk, in order to provide a more pleasant pedestrian environment.

.03 The proposed harborwalk connections are consistent with the BRA's North Station Master Plan. The proposed pedestrian connection to the North Station area provides for a potential link across the MBTA tracks to the MDC Locks, thereby extending the Harborwalk system further along the Charles River Basin. However, we propose an option different than those presented in the DEIR for this connection. Our recommendation is that the walkway be extended along the western boundary of the hospital, along the MBTA tracks until the oxygen tank. We feel that this alternative would provide pedestrians a more direct, safe, and pleasant route to the North Station area as opposed to a route which follows under the building and across the parking lot. The Final EIR should include an examination of this alternative connection.

Secretary John P. DeVillars
EOEA #7317 - Spaulding Rehabilitation Hospital
Page 3

.04 One clarification of the Draft EIR is noted. On page 4-38, total vehicle trips associated with the proposed addition is given as 50 additional trips per hour. Since the addition would only generate 25 additional outpatients per day and no additional visitors, should not the 50 additional vehicle trips be a daily, rather than an hourly, total?

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Reavis". The signature is fluid and cursive, with a large, stylized 'P' at the beginning.

Paul Reavis
Assistant Director for
Engineering and Design Services

PR:RM/lmc

cc: Henry Newman
Spaulding Rehabilitation Hospital

APPENDICES

APPENDIX A

CORRESPONDENCE FROM MDC COMMISSION

THE COMMONWEALTH OF MASSACHUSETTS

INTER OFFICE CORRESPONDENCE

METROPOLITAN DISTRICT COMMISSION

FROM William F. Chisholm, Secretary

June 8, 1989

ATTENTION OF Julia B. O'Brien, Director of Planning

SUBJECT Preliminary site plan for a 6,000 square foot deck, at the Spaulding Hospital.

The following is an extract from records of the meeting of Commission held on June 8, 1989.

"Report of Mrs. O'Brien, June 2, recommending approval of a preliminary site plan for a 6,000 square foot deck, at the Spaulding Hospital, which will replace a trestle which was destroyed by fire in 1984.

Mrs. O'Brien reviewed the project in detail with the Commission. She explained that the MDC Planning Office has been involved in discussions with officials of Spaulding Hospital, the Boston Redevelopment Authority, the Department of Environmental Quality Engineering and the Charles River Watershed Association with regards to the deck for the past four years. As a result of the discussions, she explained, most of the preliminary design issues have been resolved.

Mrs. O'Brien then presented two artist's renderings of the deck and adjacent pier which will replace the 23,000 square foot deck which was destroyed by fire in 1984.

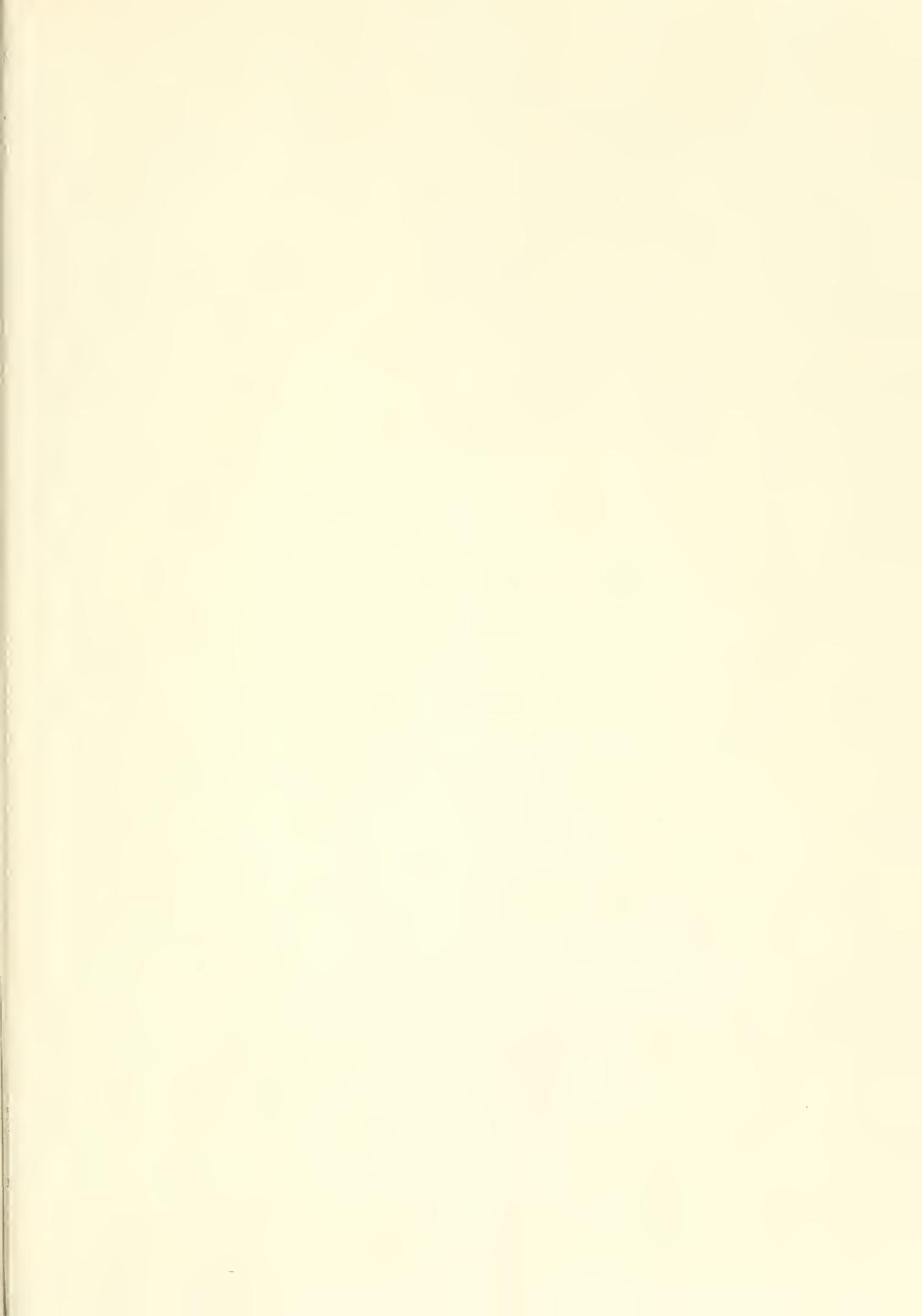
Mrs. O'Brien explained that the Planning Office believes the Hospital's proposed preliminary design for a pier of 8,000 square feet is larger than necessary. She stated that the Planning Office originally suggested an alternative design of 6,000 square feet. However, she explained, the Planning Office is now ready to recommend to the Commission approval of a deck up to 7,000 square feet.

On questioning by the Commission, Susan Glasser of the Spaulding Hospital stated that the deck will offer patients an opportunity to observe activities in the Charles River Basin. She then noted that safe public access to the deck and its approaches will be provided by the Hospital.

The Commission VOTE: to approve the preliminary site plan for a 7,000 square foot deck, with final construction approval subject to the resolution of design details, including but not limited to stair and ramp location and design; design of the promontory adjacent to the existing concrete abutment along the main channel; location and design of seating, flags, planting boxes, and other amenities.

At this point, Associate Commissioner Jones requested that Mrs. O'Brien and Ms. Glasser work closely with Lieutenant Walsh of the Marine Division so that all of his concerns are addressed."

William F. Chisholm
WILLIAM F. CHISHOLM
Secretary



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